

10/3/77 [1]

Folder Citation: Collection: Office of Staff Secretary; Series: Presidential Files; Folder: 10/3/77 [1]; Container 44

To See Complete Finding Aid:

http://www.jimmycarterlibrary.gov/library/findingaids/Staff_Secretary.pdf

WITHDRAWAL SHEET (PRESIDENTIAL LIBRARIES)

FORM OF DOCUMENT	CORRESPONDENTS OR TITLE	DATE	RESTRICTION
memo	From Young to The President (1 page) re: Weekly summary of US Mission to the UN Activities/en-closed in Hutcheson to Cabinet 10/3/77 <i>Opened 6/1/92</i>	9/30/77	A

FILE LOCATION

Carter Presidential Papers- Staff Offcies, Office of the Staff Sec.- Pres. Hand-writing File 10/3/77 [1] BOX 53

RESTRICTION CODES

- A) Closed by Executive Order 12356 governing access to national security information.
- B) Closed by statute or by the agency which originated the document.
- C) Closed in accordance with restrictions contained in the donor's deed of gift.

EYES ONLY - ADMINISTRATIVELY CONFIDENTIAL

THE WHITE HOUSE

WASHINGTON

October 3, 1977

Midge Costanza
Stu Eizenstat
Hamilton Jordan
Bob Lipshutz
Frank Moore
Jody Powell
Jack Watson
Hugh Carter

RE: CABINET SUMMARIES

The attached were returned in the President's
outbox today and are forwarded to you for
your personal information.

Rick Hutcheson

Attachments:

Labor, Transportation
Treasury, UN, Justice,
HUD, GSA, EPA, Commerce,
Agriculture, HEW, Interior,
CEA,

ONE CONFIDENTIAL ATTACHMENT

bcc: Landon Butler

U. S. DEPARTMENT OF LABOR

"FYI"

OFFICE OF THE SECRETARY
WASHINGTON

C

September 30, 1977

MEMORANDUM FOR THE PRESIDENT

FROM: SECRETARY OF LABOR, RAY MARSHALL *RM*

SUBJECT: MAJOR DEPARTMENTAL ACTIVITIES, SEPTEMBER 24-30

EAST COAST LONGSHOREMEN

All indications are that there will be a strike of East and Gulf Coast longshoremens at midnight tonight. As I indicated at the Cabinet meeting on Monday, this strike is expected to be targeted solely at major container lines. This would mean that military goods, perishable food and most other cargo would continue to be unloaded. Assuming there is a strike, I will issue a statement tomorrow calming fears that there is a national emergency or that we intend to invoke the Taft-Hartley Act. As I have indicated earlier, I see no need for Federal intervention at this point. There will, however, be mounting pressure from Congress and elsewhere for Federal action if the strike continues.

YOUTH UNEMPLOYMENT

We have begun planning to spend the \$500 million supplemental appropriation that you requested today from Congress for the Youth Employment and Demonstration Projects Act. We are exploring ways to ensure that this money will be used in areas of high minority unemployment. In this context, I should mention that I am looking into the possibility of using unemployed youth to rebuild the Northeast Rail Corridor. I will be discussing this project with the Department of Transportation, Conrail and the relevant unions. I think that such a visible national project would be one of our most effective public service jobs programs.

Electrostatic Copy Made
for Preservation Purposes

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA)

On October 3, Assistant Secretary Eula Bingham and I will announce a comprehensive cancer policy for regulating worker exposure to cancer-causing substances. This policy is designed to ensure a consistent and predictable OSHA response to various degrees of evidence about suspected carcinogens. Although this policy will not take effect until after public hearings are held, extensive discussions have already been held both in and out government. Rather than continuing to set standards for carcinogens on a substance-by-substance basis, this proposed policy will establish a broad generic framework to provide faster and more effective ways of protecting worker health. In my opinion, this policy represents a significant step toward a national preventive approach to cancer.

ORGANIZATION FOR ECONOMIC COOPERATION AND DEVELOPMENT (OECD)

On September 29, I met with Emile van Lennep, the Secretary General of the OECD, and Herb Salzman, our Ambassador to the OECD. We discussed the scheduled conference on youth unemployment which I will chair in Paris in December. Both van Lennep and Salzman expressed concern on behalf of major Western European democracies that this conference could cause them political difficulties by focusing attention on their rising unemployment rates. I assured them that I would make every effort to see that this conference did not raise unrealistic expectations in Europe. I emphasized that I thought that the major value of this conference would be the opportunity to exchange information. We also discussed an upcoming OECD conference on industrial relations which we hope to host in Washington sometime in mid 1978.

Electrostatic Copy Made
for Preservation Purposes



THE SECRETARY OF TRANSPORTATION
WASHINGTON, D.C. 20590

September 30, 1977

MEMORANDUM FOR THE PRESIDENT

THROUGH: Jack Watson

SUBJECT: DOT Issues for Presidential Review

Bob Adams

Southern Tier Expressway/New York State

INFORMATION

Southern Tier Expressway is another controversial highway project which I believe should be decided promptly by this Department. This project involves the construction of an Appalachian Corridor road across the Southern portion of New York. After decision by the Department of Transportation, the project would still be subject to review by the Corps of Engineers, since the highway crosses a lake, and further comment would come from the Department of Interior.

I am concerned that this project could soon become another Overton Park, because the highway is being approved in segments on each side of Lake Chautauqua. If the process continues, the highway would be built to both sides of the lake, with a determination then having to be made as to whether or not to cross the lake, with specific Department of Interior and Corps of Engineers clearances required.

I have, therefore, instructed the appropriate officials in the Department of Transportation to prepare an Environmental Impact Statement for all of the remaining portions of the project (part of the highway is already constructed, the design and location studies are already completed, and right of way acquired for a major portion of the corridor). I believe that the entire Administration, including the Department of Transportation, the Corps of Engineers, the Environmental Protection Agency, the Department of Interior, and the Council on Environmental Quality should decide immediately whether or not the total project can be built.

My decision will mean that the total project plans and Environmental Impact Statement will proceed forward from the Department of Transportation to the other departments for final Administrative action.

I recommend that a definite time limit for comment and reply from all agencies and such Corps of Engineers' hearings as may be necessary be set. Then we can notify the State of New York and the Appalachian Commission whether or not this project will or will not be built.

If we do not have prompt, total Administrative action, the Appalachian legislation which provides funding for these highways will expire and we will have a partially completed highway that starts nowhere and goes nowhere.

Overton Park/Memphis, Tennessee

INFORMATION

At 12:30 p.m. today, I notified Governor Ray Blanton that I had rejected the application of the State of Tennessee to construct Interstate Route 40 through Overton Park in Memphis. Copies of this notice were also delivered to the Senators and affected Members of the Congressional Districts.

Passive Restraints for Automobiles

INFORMATION

On Thursday, September 29, I held a luncheon meeting with key Members of the Senate Commerce Committee to discuss my recent decision on passive restraints. The Consumer Subcommittee will meet today to mark-up the Griffin Resolution, which calls for Senate disapproval of the airbag decision. We anticipate that the Subcommittee will support passive restraints in its report to the full Commerce Committee. Full Committee action may be as early as Tuesday, October 4, since the period for action (60 legislative days) expires October 13. We are working with the White House to stop the Griffin disapproval resolution in Committee in order to prevent a floor fight. The House Commerce Committee will act on the measure next week; our strategy there is also to kill the resolution in Committee.

In addition, I want to reiterate my concern that an immediate announcement that you will no longer consider binding legislative vetoes of Executive Branch regulations, could defeat implementation of the passive restraints (airbag) regulation.

This regulation is subject to Congressional veto until October 13. I urge that you postpone any Presidential announcement until after that date.

New York Public Transportation Grants

INFORMATION

On Monday, I will announce the award of several public transportation grants to the New York City transit system and the commuter rail network surrounding the City. In total, these grants amount to \$280 million, with more than half going for the modernization of existing facilities. The balance is going to further progress on the completion of major additions to their system begun in previous years. It is my general intention to give greater emphasis to the rehabilitation area in this grant program, since this will have a major impact on the existing ridership and will, if coordinated with other programs, encourage redevelopment.

With this announcement the Department's Urban Mass Transit Administration will have committed \$1.25 billion in available discretionary mass transit capital grants in fiscal year 1977. Major grants have also been made this fiscal year to Boston (\$53 million), New York (an additional \$68 million), and Chicago (\$136 million) to continue each city's program of modernizing and expanding its existing transit system. Other significant funding has gone to Atlanta (\$158 million) and Baltimore (\$100 million) to continue construction of new transit systems.

The size of this grant program and its potential for development underscores the need for continued efforts to coordinate Federal spending in the cities.

Development of the Surface Transportation
Legislation

INFORMATION

As we move towards a recommendation on program reform in the surface transportation area, I am emphasizing careful planning and coordination with the State and local governments which, for the most part, carry out our programs. In this regard, members of my staff and I met last week with Governor Busbee (in his capacity as Chairman of the Governors' Association Transportation Committee) and designated representatives of several states. This was a highly productive meeting, and we will schedule similar discussions with local governments before putting the final touches on any legislative recommendation.

Aviation Regulatory Reform

INFORMATION

The Senate Commerce Committee, by a vote of 13 to 3, adopted the Cannon Automatic Entry Provision to the Aviation Regulatory Reform Bill. This has been the most controversial section of

the bill and the fact that the liberal entry alternative passed by such a decisive margin represents a major accomplishment. This should provide a major impetus when the bill comes up on the Senate floor. A number of amendments remain to be considered, the most important of which is a labor protection section. The Committee will meet again on Tuesday, October 4.

In furtherance of the Administration's aviation regulatory reform efforts, the Department of Transportation also filed comments on September 26 with the Civil Aeronautics Board concerning the need to modify the CAB's Domestic Passenger Fare Investigation (DPFI) policies. Under the existing system of fare regulation, the CAB requires that fares be uniform for individual markets of the same distance. We have recommended that the existing fare structure be replaced with a more flexible fare system which would permit airlines to adjust their fares within a 30% range.

In addition, the Department will participate in a Civil Aeronautic Board proceeding (Arizona Service Investigation) which involves the issue of Federal subsidies for air service to rural communities.

Panama Canal

INFORMATION

In testifying before the Senate Foreign Relations Committee, this morning, I stated my strong support for the Panama Canal Treaty and emphasized that the Treaty was vital to the secure commercial future of the Canal.



THE SECRETARY OF THE TREASURY
WASHINGTON 20220

F.Y.I.

September 30, 1977

MEMORANDUM FOR THE PRESIDENT

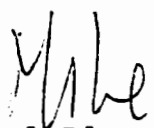
Subject: Highlights of Treasury Activities

1. US-UK TAX TREATY

This important treaty, now before the Senate, would harmonize tax treatment by the various states of the U.S. income of British corporations. (Our Tax Reform program includes a proposal to effect such harmonization for the U.S. income of all foreign corporations.) Governor Brown of California has opposed the treaty, as it would alter his state's tax rules. I called Brown last week, and he has now endorsed the treaty. A majority on the Foreign Relations Committee appears to back the treaty, but Committee action apparently has been deferred until the Panama treaties are considered.

2. NOW ACCOUNT BILL

In mid-August the Senate Banking Committee reported out the Administration's NOW account bill which would permit interest-bearing checking accounts on a nationwide basis. Because of the press caused by the energy package, Senator Robert Byrd insisted on a unanimous consent time agreement to ensure quick floor consideration, but opponents would not agree, and so the bill will not reach the floor this session. This also dims prospects for favorable House action before next year.


W. Michael Blumenthal

WITHDRAWAL SHEET (PRESIDENTIAL LIBRARIES)

FORM OF DOCUMENT	CORRESPONDENTS OR TITLE	DATE	RESTRICTION
memo	From Young to The President (1 page) re: Weekly summary of US Mission to the UN Activities/en-closed in Hutcheson to Cabinet 10/3/77	9/30/77	A

FILE LOCATION

Carter Presidential Papers- Staff Offcies, Office of the Staff Sec.- Pres. Hand-writing File 10/3/77 [1] BOX 57

RESTRICTION CODES

- A) Closed by Executive Order 12356 governing access to national security information.
- B) Closed by statute or by the agency which originated the document.
- C) Closed in accordance with restrictions contained in the donor's deed of gift.



Office of the Attorney General

Washington, D. C. 20530

September 30, 1977

5
1

Re: Principal Activities of the Department of Justice
for the Week of September 26 through 30

1. Meetings and Events

The Attorney General met Monday with the Attorney General of Maine at Senator Muskie's request concerning the Maine Indian litigation. He testified Tuesday before the House Judiciary Committee on legislation that would divide the Fifth Circuit (favoring Georgia, Alabama, Florida and Mississippi in the East; Texas and Louisiana in the West). Judge Bell spoke Wednesday morning in Savannah at a portrait unveiling honoring the first Chief Judge of the Southern District of Georgia, Alexander A. Lawrence. The Attorney General testified Thursday on the Panama Canal Treaty that only Senate ratification of the treaty is required. The Attorney General met Friday with Senators Jackson and Magnuson, and with Speaker O'Neill. Judge Bell attended the President's coffee for members of the Supreme Court Friday afternoon.

2. KCIA

There have been several developments in the KCIA case. The Department announced Friday that the United States and Korean officials have agreed that representatives of the Department will go to Seoul and meet with the Korean Ministry of Justice to discuss satisfactory terms and conditions for communication with Mr. Park Tong Sun. A federal grand jury in Baltimore Tuesday indicted Hanchu C. Kim and his wife on charges of income tax evasion. Yang Doo Wan and San Kuen Kim, former employees of the KCIA, were named as unindicted co-conspirators.

3. Antitrust

Prosecuted by the Antitrust Division, six real estate firms and three individual brokers were convicted this week of conspiring to fix the brokerage fee on real estate sales in Montgomery County, Maryland. (The price-fixing meetings were held at the Congressional Country Club -- which tempts some comment about the perils of private clubs). This is

the first conviction under a new felony statute which subjects price-fixers to a potential three-year prison sentence. The Department is presently deciding what sentence it will recommend to the court.

4. Mennonites - INS

A total of 553 aliens of the Mennonite sect have been located by INS officers in violation of the immigration laws. They are in unlawful status because after having been admitted to the United States as temporary visitors or transits they remained longer than authorized or violated the conditions of their admission by working. Initially, they were granted short periods of time within which to depart voluntarily from the United States in lieu of the institution of formal deportation proceedings. That time has now been extended to January 31, 1978 to permit them to harvest their crops. The Mennonites have attempted to obtain labor certifications from the Department of Labor but to date have failed. However, there are still some applications pending with the Department of Labor awaiting the termination of the time within which the job vacancies must be advertised for local workers. If they are successful in obtaining the labor certifications it would be possible for them to obtain lawful permanent residence in the United States. There is also some movement in the Congress for special legislation that would authorize them to stay in the United States.

5. Longshoremen Official Pleads in \$1,220,000 Embezzlement

On September 8 in the District of Puerto Rico, Julio O. Mello, a senior vice president of Puerto Rico Marine Management, Inc., and a trustee of the International Longshoreman's Association-Puerto Rican Steamship Association welfare trust fund, plead guilty to charges of embezzling \$1,220,000. He was charged with converting certificates of deposit of the trust fund into an investment account at a brokerage firm. This is the first prosecution in Puerto Rico of the waterfront industry investigation.

6. Criminal Code Reform Bill

This bill is scheduled for Senate Judiciary Committee consideration in early October and a tentative vote on October 11. The House is expected to hold subcommittee hearings over the recess.

7. Magistrates and Diversity; Witness and Marshal Fee Bills

Hearings were held this week in the House on magistrates and diversity. On Monday, hearings were held on the Department's witness and marshal fee bills before Senator DeConcini's subcommittee. The Federal Tort Claims Act amendment bill has been assigned to Senator Metzenbaum's subcommittee in the Senate and the diversity bill to Senator DeConcini's subcommittee. The arbitration bill will be introduced next week. Undocumented alien legislation is now undergoing OMB clearance preparatory to introduction.

8. Institutionalized Persons

A House subcommittee has unanimously reported to the full Judiciary Committee the bill authorizing actions by the Attorney General to redress deprivations of constitutional and other federally protected rights of institutionalized persons. On the Senate side, Senator Hatch, whose support is essential, is still undecided on whether the bill should be applicable to prisons.

9. Indochinese Refugees

The House this week passed the bill which would authorize INS to adjust the status of aliens paroled into the United States from Vietnam, Laos or Cambodia to that of aliens lawfully admitted for permanent residence. The Senate is expected to act on this issue before the end of the session.

10. Allen Subcommittee Subpoenas

Senator Allen's Subcommittee on Separation of Powers of the Senate Committee on the Judiciary issued subpoenas directing the Director of the FBI and the head of the Criminal Division (as well as the DCI, the DIA and others) to produce documents pertaining to "clandestine interception of conversations of officials of the Panamanian Government" by 10:00 a.m. on September 30. The Department advised the Judiciary Committee that the subpoenas, which were not limited as to time or as to scope of subject matter or individuals, were so broad as to encompass all investigations for foreign intelligence, counterintelligence and law enforcement purposes and would cover information which had no relevance to the committee's inquiry. Senator Allen agreed to reconsider the matter and postpone his subcommittee's hearings until October 4.

11. Privacy Task Force

The Attorney General announced Friday the structure of a Departmental Task Force to consider the issues raised in the Report of the Privacy Protection Study Commission and by the bank,

tax, and communication records privacy bills presently pending in the Congress.

12. Legislative Veto

Pursuant to Speaker O'Neill's earlier suggestion, the Attorney General will meet early next week with a number of House members who have strong feelings pro or con concerning legislative veto provisions.

13. The weekly status report on appointments is attached.

Electrostatic Copy Made
for Preservation Purposes



THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, D. C. 20410

September 30, 1977

1

MEMORANDUM FOR: The President

SUBJECT: Weekly Report of Major Departmental
Activities

The following are brief descriptions of significant activities at the Department of Housing and Urban Development.

Filibuster Blocks Senate Vote on Housing Bill. Although the impasse in the Conference Committee was resolved in a manner favorable to the Administration, Senate action on the Housing and Community Development Act of 1977 has been blocked by the deregulation filibuster. The Department is taking appropriate action to deal with the September 30 termination of many of its program authorities.

HUD Seeks Broad Participation in National Urban Policy Formulation. The Department has continued to tap a broad range of sources to obtain suggestions on a national urban policy including:

- o Corporate Forums to receive views of the corporate sector regarding national urban policy. Two forums now have been held and a third, sponsored by the Regional Planning Association, will be held in New York City on October 11.
- o A mini-conference on September 28 to solicit the opinions of a group of urban policy experts on the direction and substance of the Report in the area of urban economic development and fiscal recovery.
- o Completion of a report, "Cities in the Middle", which discusses the urban decline problems of medium size cities in the Northeastern region. This report, sponsored by the Council for Northeast Economic Action, includes specific urban policy recommendations.

Energy Facility Impact Assistance. In response to a request from the City Manager of Portsmouth, Ohio, the Department is exploring the possibility of interagency assistance for the southern Ohio area which will be affected by the proposed expansion of a gaseous diffusion plant. Preliminary needs resulting

from the \$4.5 billion expansion of this Department of Energy facility in Piketon, Ohio are being assessed by a local committee in the five-county area, and an exploratory meeting will be held in mid-October to discuss Federal, State, areawide, and local roles and requirements. Federal agencies will arrange to provide technical assistance and to coordinate Federal grant activities.

Bonus Grants Provided to Implement Housing Opportunity Plans. On Wednesday, the Department announced grants totalling \$1.2 million to seven localities participating in areawide housing opportunity plans. These special grants of community development block grant funds will be used to promote housing opportunities for lower income families outside traditional areas. The localities, which include Arlington County, Virginia; Seattle/King County, Washington; and Decatur, Iowa are within the boundaries of areawide planning organizations already receiving \$20 million in bonus Section 8 assistance and \$475,000 of supplemental Section 701 funding to support programs providing a broader geographical choice of housing outside areas with heavy concentrations of low income or minority households.

Section 8 Rental Assistance Program to be Improved. I have established a special HUD task force to improve the regulations for the Section 8 Housing Assistance Payments program. Present regulations have been criticized as complex and overly restrictive. The task force will concentrate on simplification of the language and content of the regulations.

Draft Condominium Bill Under Review. A draft bill, entitled the Condominium Consumer Protection Act, has been prepared and is now under review within HUD and by other Federal agencies, including the Department of Justice, SEC, FTC, and Treasury. HUD staff also has met with Congressional staff, consumer groups, and other individuals and organizations interested in condominium legislation to discuss the proposed legislation and solicit comments. The major problem still remaining is whether our proposals for terminating recreation leases will violate the Fifth Amendment to the Constitution. We are working with the Department of Justice on this issue.

Update on Rockdale Apartments, Atlanta. Steps have been taken to deal with abuses that occurred in the Rockdale Apartments matter and to prevent their reoccurrence. A high level Task Force has been established, and a Headquarters team of specialists will assist the Regional Administrator in implementing specific actions during the next two weeks. Copies of our investigation report have been sent to Congressmen Ashley, Levitas, and Boland.

Pat

Patricia Roberts Harris



United States of America
General Services Administration
Washington, D.C. 20405

Administrator

September 30, 1977

9

MEMORANDUM TO THE PRESIDENT

SUBJECT: Weekly Report on GSA Activities

Inventory of Nixon Gifts

The first phase of the Nixon head-of-state gifts inventory has been completed. The second phase, involving mainly domestic gifts, is expected to be completed in several weeks.

Improvement in IBM Typewriter Contract

Our recent award to the IBM Corporation for electric typewriters resulted in the most significant improvements in this multiple-award Federal Supply Schedule contract in years with savings estimated at \$200,000.

General Supply Fund Profit

Cash in the amount of \$41.4 million representing the General Supply Fund profit for fiscal year 1976 was returned to the Treasury.

Art in Public Places

A display of abstract painting and sculpture conducted by the Organization of Independent Artists opened September 26 in Federal buildings in downtown New York. Made possible by the Cooperative Use Act of 1976 (Public Law 95-541), the exhibit is taking place at the U.S. Court House at Foley Square, at 26 Federal Plaza and at the IRS building at 120 Church Street and the U.S. Customs House at 6 World Trade Center.


JAY SOLOMON
Administrator

Electrostatic Copy Made
for Preservation Purposes



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

C/

THE ADMINISTRATOR

September 30, 1977

MEMORANDUM FOR THE PRESIDENT

FROM: Douglas M. Costle

1. Steel. We have been following the steel situation very closely and are developing specific information on the industry's environmental compliance status on a plant-by-plant basis. This, together with information on age of plant, location, product lines and employment figures should be useful to the Steel Task Force which Stu and Jack have been setting up.

sent
to Steel
Task
Force

I have attached a ~~brief~~ memorandum summarizing the environmental compliance status of the steel industry and information we have obtained in a series of recent meetings with the steel industry, labor, and municipal officials.

2. Appointments - The Senate last week confirmed two of our nominees for assistant administrator. David G. Hawkins is Assistant Administrator for Air and Waste Management. Marvin B. Durning is Assistant Administrator for Enforcement. Four of the six Assistant Administrators are now on board officially, and we expect that the fifth nominee will be confirmed next week.

Electrostatic Copy Made
for Preservation Purposes

THE SECRETARY OF COMMERCE

WASHINGTON, D.C. 20230

September 30, 1977

"FYI"

REPORT TO THE PRESIDENT

Actions on Steel Industry Situation

Based on our meetings with local officials from steel producing communities, we have established a Departmental working group to concentrate on the community assistance/development, technology, and industry capacity aspects of the steel problem. We are coordinating our efforts with the Department of Labor to insure a rapid response to the near-term needs of impacted communities, and, of course, we will be working closely with Assistant Secretary Solomon's inter-department working group. This morning, I met with Jack Watson and Secretary Marshall to review the community development aspects of the total Federal response, and am confident that we can effectively integrate Federal assistance efforts in this area.

Copper Industry Situation

The U.S. copper industry is currently suffering from the effects of very high world-wide inventories, excess world production, and expanding low-priced copper imports. On Tuesday, senior officials of the Department met with representatives of the industry to review this situation and discuss how it could be improved. Possible actions would include more rapid amortization of pollution control expenditures, and a U.S. stockpile barter of tin (now in world-wide shortage) for copper. The latter would be totally consistent with current U.S. stockpile goals. The Department is now evaluating these and other options and will develop specific policy recommendations in this area.

Longshoreman Strike on Atlantic and Gulf Coasts


Longshoreman negotiations affecting Atlantic and Gulf Coasts now appear to have broken down on issues of work preservation and income guarantees. Teddy Gleason, President of the International Longshoremen's Association, AFL-CIO, has announced his intention to strike all "high technology" ships (such as container ships, roll-on, roll-off ships and barge-carrying ships) as of 12:01 A.M. tomorrow. A selective strike of this nature would have a rapid and disproportionate effect on Atlantic and Gulf Coast U.S. flag liner companies who predominantly operate these

high-efficiency ships. Most of these companies cannot sustain even a short strike without major losses. Significantly, a strike lasting more than one week would quickly impact Puerto Rico which depends heavily on containerships and roll-on, roll-off carriers for consumables imported from the continental States. Since traditional breakbulk ships would continue to operate, Eastern Bloc shipping could increase their penetration of our Atlantic trades in any prolonged strike. Our Maritime Administration will continue to monitor this situation closely, in cooperation with the Department of Labor.

A Return to Selma

Randy Blackwell, Director of our Office of Minority Business Enterprise (OMBE), enjoyed a most constructive visit with Governor Wallace on Wednesday in connection with their discussions on new OMBE initiatives in Alabama. Of particular interest was the recent OMBE grant to a black cooperative in Selma, the Southwest Alabama Farmer's Cooperative Association, Inc. Under terms of the grant, the cooperative will investigate the economic feasibility of producing alcohol fuel and analyze the cost/benefits of co-op produced alcohol fuel as compared to petroleum fuel. I believe it worthy to note that after the meeting, Governor Wallace announced that he was appointing Randy to be an honorary Lieutenant Colonel in the "Alabama State Militia." He specifically exempted Randy from all drill requirements in recognition of his responsibilities in Washington and his contributions to the State of Alabama.

Best wishes for a Happy Birthday!



Sidney Harman
Acting Secretary

EYES ONLY

THE WHITE HOUSE
WASHINGTON

October 3, 1977

Jim McIntyre

The attached Department of
Agriculture Cabinet Summary
is forwarded to you for your
personal information.

Rick Hutcheson

RE: REORGANIZATION

EYES ONLY



DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D. C. 20250

September 30, 1977

MEMORANDUM TO THE PRESIDENT

THROUGH Jack Watson
Secretary to the Cabinet

SUBJECT: Weekly Report

MEYER. A complete review of Bob Meyer's actions, conducted by USDA's General Counsel, will be in Bob Lipshultz's office this (Friday) afternoon. No laws or regulations have been broken; Bob has been told to stop all such activities and no further action should be required. A reminder to appointees at all levels is being prepared.

REORGANIZATION. Wednesday morning we will announce to administrators and the public our internal reorganization, along functional lines, of the Department. It will reduce the number of agencies from 40 to 26. The appropriate Members of Congress will be briefed Monday.

CORN. Reports of a spread of the aflatoxin corn mold will make it necessary to hold off on any feedgrain set-aside decisions until after the October 10th Crop Report.

MILK. The Commodity Credit Corporation Board meets this afternoon on milk price supports. The expected recommendation is no increase for the quarter beginning October 1.

FmHA - ASCS. Attached are the weekly status reports on FmHA and ASCS appointments.



BOB BERGLAND

Electrostatic Copy Made
for Preservation Purposes

Attachments-2

THE WHITE HOUSE
WASHINGTON

October 3, 1977

Charles Schultze

The attached was returned in
the President's outbox. It is
forwarded to you for appropriate
handling.

Rick Hutcheson

RE: ECONOMIC GROWTH
SOCIAL SECURITY FINANCING

EYES ONLY

THE WHITE HOUSE
WASHINGTON

cc Schultze

Electrostatic Copy Made
for Preservation Purposes

THE CHAIRMAN OF THE
COUNCIL OF ECONOMIC ADVISERS
WASHINGTON

*cc Charlie
J*

September 30, 1977

MEMORANDUM FOR THE PRESIDENT

From: Charlie Schultze *CLS*
Subject: CEA Weekly Report

Economic Growth. Pursuant to an agreement reached among Finance Ministers last June, we are to send the OECD by October 14 a statement of tentative U.S. growth targets for 1978. Subject to discussion among other economic agencies, and your approval, I intend to provide the OECD with an overall growth target of 5 percent for the year 1978 over 1977. If we reach that target, unemployment should decline to the 6.2 - 6.3 percent range by year-end 1978. (Assuming no further fiscal action in 1978, and a likely \$6 to \$7 billion shortfall in the 1978 budget, we now estimate 1978 growth at about 4-1/2 percent, with larger growth in the first half and slower growth in the second half. Under those circumstances, unemployment would stall at about 6.4 to 6.5 percent after mid-year. I do not intend to give the OECD this forecast, but rather would state the 5 percent target and indicate that we would, to the best of our ability, pursue policies designed to put us in the neighborhood of that growth rate. *ok*

Monetary Policy. As I have on several occasions discussed with you, there is mounting evidence that the rate of velocity growth -- which until recently has kept interest rates low despite modest monetary growth -- is now slowing down. If it is, and the Fed keeps to its money growth targets, interest rates could continue to increase steadily. We believe that some members of the Board of Governors are beginning to worry about this. The "velocity problem" has also begun to surface in the financial press. I have asked Members of the CEA, Lyle Gramley and Bill Nordhaus, to lunch separately with individual members of the Board to discuss these matters and do some quiet lobbying.

Welfare Reform Phase-in. My staff is working with OMB and DPS to come to grips with the very difficult problem of how to phase down existing public service jobs as the new public service jobs under the welfare reform program are phased in. The existing program has a much higher wage and attracts a somewhat different "clientele" than would the proposed welfare reform job program. How do two sets of public service employment programs, with widely different wage levels and characteristics, exist side-by-side? The Labor Department is developing some proposals as part of its 1979 budget submission. We are very concerned that if this problem isn't handled right we could easily end up with a welfare reform job program which had wages well above the minimum. In turn, this would sharply expand the claimants for such jobs, threaten to serve a different clientele than the welfare program, and put upward pressure on private wage rates.

Social Security Financing. My staff has prepared and provided to HEW talking points and technical material comparing the Administration's proposals for social security financing and the Senate Finance Committee proposal. I did not send copies of the material to you. However, I will be glad to summarize the material for you if you are interested.

ok -
brief

EYES ONLY

THE WHITE HOUSE
WASHINGTON

October 3, 1977

Secretary Califano

The attached was returned in the President's
outbox today and is forwarded to you for
your information and appropriate handling.

Rick Hutcheson

RE: LABOR/HEW APPROPRIATIONS
SOCIAL SECURITY FINANCING
PAPERWORK REDUCTION
HEALTH REORGANIZATION
MINORITY FELLOWSHIPS

EYES ONLY

Note: Please see page 3.

bcc: *Jim McIntyre*

THE WHITE HOUSE
WASHINGTON

CL Calipano
McIntyre

note to sec 8
up and



THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE
WASHINGTON, D. C. 20201

9/30/77

cc: Joe
J

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Weekly Report on HEW Activities

The following is my weekly report on significant activities in the Department of Health, Education, and Welfare:

- o Labor/HEW Appropriations: Effective at Midnight, September 30, the end of FY 1977, most of HEW will be operating without an appropriation until the abortion policy question is resolved in conference. If the conference resolves its differences next week, which we have been told we can anticipate, then no major problem will ensue. Regular paychecks will go out on Tuesday because they cover a pay period within FY 1977. Social Security and other trust fund payments are not involved. The first real crisis would come if we were unable to make an October 10 mailing of Supplemental Security Income checks.

*Joe sent
O'Neill & Byrd
a letter*

If it begins to appear early next week that the congressional deadlock is not breaking, we will consult with you on appropriate intervention on a timely basis.

- o Social Security Financing: We appear to have won the struggle over the separation of Social Security Financing and H.R. 7200 in the Senate Finance Committee on a 9-9 tie vote on Senator Long's motion to put the two together. But some version of the same struggle will almost certainly be repeated on the Senate floor. The outcome may well depend on how the issue is joined, and Senator Long is in the best position to determine that. The fiscal relief provision authored by Senator Moynihan is the principal threat as a floor amendment.

*9/11 help
as Frank
suggests*

Further, another serious problem emerged after that vote. On Friday, there was a 9-9 straw vote on an alternative financing plan offered by Senator Carl Curtis which drops the employer-only base increase essential to our plan, and substitutes tax rate increases on the current base. Not only does it violate all the principles

of our plan, but it does not raise enough money to put social security back on a sound basis. We have asked for your assistance in persuading Senator Talmadge to change the favorable position he took on the straw vote, and we are working with him and with other key members to change their positions. Senator Long voted with us on this.

The House Ways and Means Committee now appears headed toward action next week on a compromise worked out in a Democratic caucus of that Committee under a strong lead from Speaker O'Neill and with real assistance from Chairman Ullman. The compromise offers some problems, but it holds promise of a satisfactory outcome if it gets to conference without further major changes.

- o Paperwork Reduction: We will announce on Monday a dramatic reduction in the paperwork burden borne by Office of Education grantees. In an exhaustive survey, Commissioner Boyer has examined the number of reports required, and found that for 25,000 grants, 67,000 reports were prepared annually, requiring approximately 620,000 hours to prepare and 134,000 hours of OE's time to read.

great!

Our goal is to require only one program report and one financial/administrative report each year per program. This will cut the number of reports in half - to 31,000 - with corresponding 50% reductions in the amount of time required to prepare and read reports. Uniform reporting dates for all programs will be established. Other steps to streamline and facilitate the grants process are also underway. Commissioner Boyer has done an extraordinary job in this area.

This is the third major action that OE has taken to reduce paperwork burden, bringing their total reduction to an estimated 6.1 million hours. Since you have promised to reduce the entire Federal Government burden by 7 million hours, OE's initiatives alone have almost delivered on that promise. With actions in other areas, I will see that HEW alone exceeds your government-wide goal.

- o National Health Insurance: Next Tuesday I will hold a day long hearing on National Health Insurance. This procedure is modeled after a similar hearing I conducted on welfare reform earlier this year.

- good work*
- o Health Reorganization: On Friday, September 30, I will announce the complete reorganization of the Office of the Assistant Secretary of Health. This reorganization rounds out our effort to streamline each of the five operating units in the Department. Our new organization will reduce from 37 to 16 the number of officials reporting to the Assistant Secretary and will rationalize his office by creating four Deputy Assistant Secretaries for health programs: for Operations; for National Health Insurance to help with the development of our proposal; for Special Health Initiatives to be responsible for our major efforts in immunization, adolescent pregnancies and other major new efforts; and for Policy, Research, and Statistics.

This last position (the Deputy for Policy) represents one of the most dramatic and promising changes in the reorganization. We are placing under one official the responsibility for developing policy as well as the research and statistics-gathering offices. Our ability to make independent policy decisions will be greatly enhanced by a close working relationship between the policy-makers and the offices that perform research and gather data on which good policy decisions must rest. Congressional contacts and consultations were carried out thoroughly in the 10 days preceding the announcement.

- Involve Black Caucus for publicity*
- o Minority Fellowships: Next week, we will publish proposed regulations for a fellowship and institutional grant program that is designed primarily to provide opportunities for minorities and others who have been traditionally under-represented among recipients of graduate and professional degrees. Under the \$3 million program, established pursuant to the Higher Education Act of 1965, the Commissioner of Education is authorized both to make grants to educational institutions and to award fellowships to students in approved programs. In awarding fellowships and making institutional grants, the emphasis will be on providing opportunity for large numbers of qualified minorities and women to complete graduate and professional study, in order to increase the pool of qualified applicants for a variety of high level positions in government, industry, and academia. As you know, I believe programs like this one are vital if we are to develop leaders and role-models from minority communities.

The proposed regulation has been cleared by the Justice Department as consistent with the Administration's position in the Bakke case.

- o Rural Health Care: The Rural Physician Extension Clinic Bill has passed in the Senate and should pass the House on Monday. This program, which is another initiative in your overall health care policy, will reimburse physician's assistants who provide services in rural health clinics.


Joseph A. Califano, Jr.

THE WHITE HOUSE
WASHINGTON

October 3, 1977

Secretary Andrus

The attached was returned in
the President's outbox. It is
forwarded to you for appropriate
handling.

Rick Hutcheson

RE: BRENDAN BRYNE

bcc: Jim Craft

THE WHITE HOUSE
WASHINGTON

cc Andrews
Kraft



THE SECRETARY OF THE INTERIOR
WASHINGTON

cc Cecil
J

September 30, 1977

MEMORANDUM TO THE PRESIDENT

From: Secretary of the Interior

Subject: Major Topics for the Week of September 26

We will treat Cumberland Island with care and discuss the plan with you before finalization. *ok*

As you requested, I spent Wednesday in New Jersey campaigning with Brendan Byrne. My opinion is that he doesn't need any additional visibility, but unless he gets some soldiers on the street getting his vote out, he won't make it. His organization just isn't up to par. *Tell him*

Prior to your trip West and preferably before we meet with the Senators on October 6, I need 20 minutes to discuss plans and political strategy with you. *ok*

I met with the chief executive officers of major domestic copper producers who are critically concerned about their industry. In that the possible solution cuts across departmental lines, I will report the proceedings at Cabinet.

Our Outer Continental Shelf Bill may need a Presidential nudge to receive action in the House before adjournment. I will keep you advised. *ok*

I am sending a request to Tim for a signing ceremony of the proclamation that will state the Northern Marianas Constitution is approved, as set forth in P.L. 94-241. We have not acquired new territory since 1917. The enthusiasm of the people of the Northern Marianas is worthy of the President's acknowledgment. *ok*

Cecil D. Andrus
CECIL D. ANDRUS

THE WHITE HOUSE
WASHINGTON

C
/

MEMORANDUM TO: THE PRESIDENT
FROM: Jack Watson September 30, 1977
RE: Summaries for the Week of
September 26 - 30, 1977

I am attaching summaries received from the
following:

Agriculture	HUD
Commerce	Interior
CEA	Justice
Defense	Labor
EPA	DOT
GSA	Treasury
HEW	UN

CC: The Vice President

**Electrostatic Copy Made
for Preservation Purposes**

9:00 AM

THE WHITE HOUSE
WASHINGTON

C
/

MEMORANDUM TO: THE PRESIDENT

FROM:

Jack Watson 

September 30, 1977

RE:

Proposed Agenda

1. Comments on the energy legislation debate in the Senate;
2. Comment briefly about the purpose and the planned meetings and events of your U.N. trip this week;
3. Note the signing ceremony for the Juvenile Justice & Delinquency Act and the Housing & Community Development Act at 11:30, Monday morning;
4. Comment briefly on meeting with Mr. Gromyko;
5. Ask Ray Marshall for a report on the Longshoremen's strike;
6. Outline the steps we are taking to deal with the situation in the steel industry;
7. Inquire about Cabinet members' progress in making regional appointments and emphasize the importance of soliciting recommendations from Governors (we have received a rash of complaints from Western Governors, in particular, about their not being consulted or pre-notified of appointments to regional positions;
8. Mention your trip out West on October 21 & 22 and ask Cabinet members to give any ideas, suggestions and information they have on the trip to Jack Watson;
9. Announce that no Cabinet meeting will be held on October 10;
10. Comments from Cabinet members.

CC: The Vice President

Electrostatic Copy Made
for Preservation Purposes

THE PRESIDENT'S SCHEDULE

Monday - October 3, 1977

7:45 Dr. Zbigniew Brzezinski - The Oval Office.

8:15 Mr. Frank Moore - The Oval Office.

8:30 Senior Staff Meeting - The Roosevelt Room.

9:00 Meeting of the Cabinet. (Mr. Jack Watson).
(2 hrs.) The Cabinet Room.

11:00 Mr. Jody Powell - The Oval Office.

11:30 Signing Ceremony for Juvenile Justice and
(15 min.) Delinquency Act. (Mr. Frank Moore).
The Rose Garden.

12:15 Lunch with Vice President Walter F. Mondale.
The Oval Office.

1:45 Mr. James McIntyre - The Oval Office.
(15 min.)

~~CONFIDENTIAL~~

TO : President Carter

September 30, 1977

THROUGH: Jack Watson

FROM : USUN - Ambassador Young

SUBJECT: Weekly Summary of U.S. Mission to the U.N. Activities
September 24 - 29

1. 32ND GENERAL ASSEMBLY: General Debate began September 26; thirty speakers have been heard, including the USSR, UK, Egypt, France, and Syria. Thus far, there have been no surprises. Gromyko's address was tough in tone, but brought no change to Soviet positions. Egypt (Fahmy) also challenged Israel, but said nothing threatening to the negotiating process. Syria called for the expulsion of Israel because it was "not worthy of membership in the UN."
2. NAMIBIA: The outcome of the Western Five talks in Pretoria has been a South African Government "illustrative proposal" for the withdrawal of their troops from Namibia. Although the plan still is far from acceptable, it does provide a basis for further negotiations. The next step will be a second round of talks with SWAPO, probably in New York. The General Assembly Plenary is expected to begin discussion of Namibia about October 17, following General Debate.
3. RHODESIA: After intensive consultations with key Africans and Security Council members, the Security Council approved a limited resolution giving Waldheim a mandate to appoint a representative to discuss the military situation in Rhodesia. The Chinese did not participate and the Soviets abstained on the vote.
4. AMBASSADOR LOWENSTEIN HOSTS INFORMAL DISCUSSION ON DRUG PROBLEMS, 9/27: Congressman Wolff, Robert Aguilar (of Peter Bourne's office), representatives from federal, state and community agencies discussed focusing the Administration on acting on drug-related problems on both the international and local levels and on the necessity of coordinating the efforts of groups dealing with drug trafficking, rehabilitation, etc. The discussion reflected the general frustration with lack of reform of the federal drug programs.
5. HUMAN RIGHTS - INDIAN INITIATIVE ON TORTURE: Indians have begun consultations on a proposed resolution which would call upon the Secretary General to conduct a survey of member states to see what they are doing to enforce the Universal Declaration Against Torture. This initiative by a non-aligned member has given new momentum to the human rights drive in the UN, which traditionally has been the exclusive concern of the Western powers.
6. AMBASSADOR YOUNG'S OTHER MEETINGS: UN Memorial Service for Steve Biko 9/23; World Jewish Congress 9/26. PRESS: UN Association Roundtable Discussion with Editors and Editorial Writers 9/27; Lehrer-MacNeil Report 9/27; ABC with David Owen-Good Morning America 9/28; Synagogue Council of America, with Miss Lillian 9/25; Various bilaterals with Secretary Vance.

DECLASSIFIED

E.O. 12356, Sec. 3.4

~~CONFIDENTIAL~~

PER 4/3/82 State DE RE MR-NLC-91-87
BY [Signature] NARS, DATE 5/11/92

Electrostatic Copy Made
for Preservation Purposes

THE WHITE HOUSE
WASHINGTON
October 3, 1977

Stu Eizenstat
Bob Lipshutz
Jim McIntyre

The attached letter to Chief Justice Burger was returned in the President's outbox today. This copy is sent to you for information. The signed original has been given to Bob Linder for appropriate handling and delivery.

Rick Hutcheson

cc: Bob Linder

RE: CONSTITUTION BICENTENNIAL

Note: A copy has also been sent to the Attorney General

THE WHITE HOUSE
WASHINGTON

October 3, 1977

The Attorney General

The attached was returned in
the President's outbox. It is
forwarded to you for appropriate
handling.

Rick Hutcheson

RE: LETTER TO CHIEF JUSTICE
BURGER ON CONSTITUTION
BICENTENNIAL

THE WHITE HOUSE
WASHINGTON

	FOR STAFFING
	FOR INFORMATION
✓	FROM PRESIDENT'S OUTBOX
	LOG IN/TO PRESIDENT TODAY
	IMMEDIATE TURNAROUND

ACTION
FYI

cc Attorney General

	MONDALE
	COSTANZA
✓	EIZENSTAT
	JORDAN
✓	LIPSHUTZ
	MOORE
	POWELL
	WATSON
✓	McINTYRE
	SCHULTZE

	ENROLLED BILL
	AGENCY REPORT
	CAB DECISION
	EXECUTIVE ORDER
	Comments due to Carp/Huron within 48 hours; due to Staff Secretary next day

	ARAGON
	BOURNE
	BRZEZINSKI
	BUTLER
	CARP
	H. CARTER
	CLOUGH
	FALLOWS
	FIRST LADY
	HARDEN
	HUTCHESON
	JAGODA
	GAMMILL

	KRAFT
	LINDER
	MITCHELL
	MOE
	PETERSON
	PETTIGREW
	POSTON
	PRESS
	SCHLESINGER
	SCHNEIDERS
	STRAUSS
	VOORDE
	WARREN

3:45 PM

THE WHITE HOUSE
WASHINGTON
September 30, 1977

Send
cc to AG
J

MEMORANDUM FOR: THE PRESIDENT
FROM: STU EIZENSTAT *Stu*
STEVE SIMMONS *JS*
SUBJECT: Chief Justice Letter on Constitution
Bicentennial

On September 21, 1977, Chief Justice Burger wrote to you about beginning advance planning for the 1987 Bicentennial celebration of the signing of the Constitution. The celebration of the 200th birthday of the organic charter of our nation should be an important event.

Although the proposed celebration is ten years away, issues raised by the Chief Justice and the Judicial Branch at least merit some early study. We have consulted with Bob Lipshutz, and we all agree that the appropriate place for this matter to be handled is in the Justice Department. We recommend that you ask the Attorney General to contact the Chief Justice for further discussion of any appropriate steps that need to be taken at this early date.

You might mention this with the Chief Justice at your meeting this afternoon.

Electrostatic Copy Made
for Preservation Purposes

78
76
72
Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
THE CHIEF JUSTICE

September 21, 1977

RL
Dear Mr. President:

As you know, the Bicentennial signing of the Constitution by the Delegates at Philadelphia will occur September 17, 1987. In light of the experience of not seeking or receiving appropriations for the 1976 Bicentennial until a late date, the Judicial Conference of the United States has authorized me to appoint a Committee for long-range, careful planning of the 200th anniversary of the great events at Philadelphia in 1787.

I raise this issue now in order to clarify the view of the Judicial Branch that the signing rather than the ratification of the Constitution is the most appropriate date for the Bicentennial recognition.

My visits with judges in other countries over the past 15-20 years and especially since I assumed my present office, persuades me that the people of most countries of the world are keenly aware that our Constitution has enabled us to preserve and protect individual rights without undue impediment to the functions of government. The opportunities presented by a 1987 Constitution Bicentennial are thus not confined to the boundaries of the United States.

I hope that at some reasonably early date agreement will be reached on this event consistent with the Judicial Conference decision that September 17, 1787 is the appropriate event to be celebrated and that cooperative planning will begin in due course.

Cordially and respectfully,

William E. Burger

The President
The White House
Washington, D.C.

THE WHITE HOUSE

WASHINGTON

To Chief Justice Warren Burger

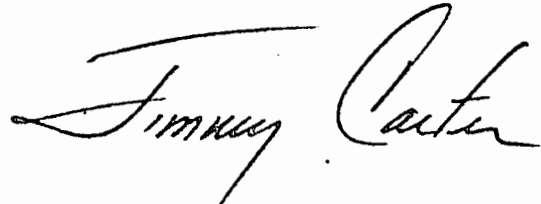
Thank you for your recent letter discussing the Bicentennial celebration of the Constitution. I am in complete accord with your comment that advance and careful planning is necessary in preparation for the celebration of this great event.

You have emphasized the Judicial Branch's view that the signing rather than the ratification of the Constitution is the appropriate date for Bicentennial recognition. You have also mentioned the issue of appropriations for the event, as well as pointed to the international implications of the constitutional Bicentennial.

These are all questions which deserve careful and prompt attention. I have asked the Attorney General to study the issues you have raised and to discuss further with you what appropriate steps might be taken at this time.

Please be assured that we will devote all necessary efforts to early study of this important 200th anniversary.

Sincerely,

A handwritten signature in cursive script, reading "Jimmy Carter". The signature is written in dark ink and is positioned below the word "Sincerely,".

The Honorable Warren E. Burger
The Chief Justice
of the United States
Washington, D.C. 20543

THE WHITE HOUSE
WASHINGTON

1p92 ✓

Date: September 23, 1977

MEMORANDUM

FOR ACTION:

Bob Lipshutz *nc*

FOR INFORMATION:

The Vice President
Stu Eizenstat
Jack Watson *nc*
Jim McIntyre

FROM: Rick Hutcheson, Staff Secretary

SUBJECT: Letter from Chief Justice Burger dated 9/21/77 re
Bicentennial Signing of the Constitution by
Delegates at Philadelphia on 9/17/87. *[initials]*

YOUR RESPONSE MUST BE DELIVERED
TO THE STAFF SECRETARY BY:

TIME: 10:00 AM

DAY: Monday

DATE: September 26, 1977

*ck w/ Steve Seaman
if anything to be
done.*

ACTION REQUESTED:

☒ Your comments

Other:

STAFF RESPONSE:

☐ I concur.

☐ No comment.

Please note other comments below:

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately. (Telephone, 7052)

Date: September 23, 1977 *ela*

MEMORANDUM

FOR ACTION:

Bob Lipshutz

1977 SEP 23 PM 2 32

FOR INFORMATION:

The Vice President
Stu Eizenstat
Jack Watson
Jim McIntyre

FROM: Rick Hutcheson, Staff Secretary

SUBJECT: Letter from Chief Justice Burger dated 9/21/77 re
Bicentennial Signing of the Constitution by
Delegates at Philadelphia on 9/17/87.YOUR RESPONSE MUST BE DELIVERED
TO THE STAFF SECRETARY BY:

TIME: 10:00 AM

DAY: Monday

DATE: September 26, 1977

ACTION REQUESTED:

☒ Your comments

Other:

STAFF RESPONSE:

☐ I concur.

Please note other comments below:

☒ No comment.
*glr**claims*
PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately. (Telephone, 7052)

Date: September 23, 1977

MEMORANDUM

FOR ACTION:

Bob Lipshutz

FOR INFORMATION:

The Vice President
Stu Eizenstat
Jack Watson
Jim McIntyre

FROM: Rick Hutcheson, Staff Secretary

SUBJECT: Letter from Chief Justice Burger dated 9/21/77 re
Bicentennial Signing of the Constitution by
Delegates at Philadelphia on 9/17/87.

YOUR RESPONSE MUST BE DELIVERED
TO THE STAFF SECRETARY BY:

TIME: 10:00 AM

DAY: Monday

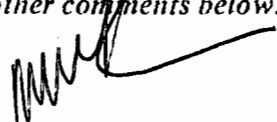
DATE: September 26, 1977

ACTION REQUESTED:

☒ Your comments

Other:

STAFF RESPONSE:

☒ I concur.☐ No comment.*Please note other comments below:*

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately. (Telephone, 7052)

WASHINGTON

Date: September 23, 1977

MEMORANDUM

FOR ACTION:

Bob Lipshutz

FOR INFORMATION:

The Vice President
Stu Eizenstat
Jack Watson
Jim McIntyre

File
Camp
Stu Eizenstat

FROM: Rick Hutcheson, Staff Secretary

SUBJECT: Letter from Chief Justice Burger dated 9/21/77 re
Bicentennial Signing of the Constitution by
Delegates at Philadelphia on 9/17/87.

YOUR RESPONSE MUST BE DELIVERED
TO THE STAFF SECRETARY BY:

TIME: 10:00 AM

DAY: Monday

DATE: September 26, 1977

ACTION REQUESTED:

☒ Your comments

Other:

STAFF RESPONSE:

☐ I concur.

Please note other comments below:

☒ No comment.

Stu Eizenstat

10/3/77

THE WHITE HOUSE
WASHINGTON

MR. PRESIDENT

SORRY FOR THE DELAY.
I SIMPLY FORGOT ABOUT IT.

Jody

THE WHITE HOUSE

WASHINGTON

October 3, 1977

To Franklin Sutton

Please forgive the late reply to your letter. However, the discussions with Heads of State and Foreign Ministers necessary to provide an appropriate answer have been extensive and time consuming.

First, with regard to your preacher whom you say was being paid but "wasn't turning it in." Based on your assessment of his behavior, I suggest he make immediate plans to seek election to the Georgia Senate.

As for your suggestion that we "trade our moldy corn (to the Arabs) for their greasy oil," major discussions have taken place. The consensus recommendation from NSC, DOD, CIA, NSA, CEA, DOE, IFCEP, COWPS, EPC, DOT and the JPSIPS (Jordan-Powell School of International Policy Studies) is that we export cars and import camels.

The most important group to be consulted has not yet reached a conclusion. The esteemed NADEFPWC&NLI (National Association of Distinguished and Erudite Foreign Policy Writers, Columnists & Navel Lint Inspectors) is reportedly about to vote unanimously that the Administration will be dead wrong if we do or do not do anything. I have suggested that this attitude qualifies them to also run for the Georgia Senate.

Your kind offer to serve as a dollar-a-year man is gratefully accepted. I have asked Jody

-2-

to talk with the Senate Committee about your confirmation hearings. He says Senator Percy may try to give you some trouble, but Jody feels sure he can "take care of it."

Sincerely,

A handwritten signature in cursive script, appearing to read "Jimmy". The signature is written in dark ink and is positioned below the word "Sincerely,".

P.S. -- I have called Linda several times for an appointment. She just says, "Yeah, and I'm the Queen of England", then hangs up.

How come I never had a secretary when I was in the Senate?

The Honorable Franklin Sutton
The State Senate
State of Georgia
Atlanta, Georgia 30334

THE WHITE HOUSE
WASHINGTON

August 22, 1977

Jody Powell

The attached was returned in
the President's outbox. It is
forwarded to you for appropriate
handling.

Rick Hutcheson

LETTER FROM FRANKLIN SUTTON

THE PRESIDENT HAS SEEN.

FRANKLIN SUTTON
District Nine
Route 1
Norman Park, Georgia 31771



COMMITTEES:
Banking, Finance and Insurance
County and Urban Affairs, Chairm
Rules
SUBCOMMITTEE:
Ways and Means

The State Senate

Atlanta, Georgia 30334

August 12, 1977

*Jody -
Draft answer
J*

The President
The White House
Washington, D. C. 20510

Dear Jimmy:

I haven't heard from you lately, and I decided to write to you about our problems down here. As you know, it hasn't rained here this year. (Something to do with paying the preacher). We were paying him; evidently, he wasn't turning it in. Anyway, to make a short story long, we ain't made any crops and need the Govment to help us. *preach learned 12/9/51a*

I understand that there is one Govment program that will pay for the corn we don't make. This one is O.K. I understand that there is another program that will loan us money on the corn we do make. This one is totally unacceptable in as much as we are not only expected to pay it back, but they add interest of 3%.

To compromise this ^{flavus} bad situation, all our corn has Alfatoxin (caused by Aspergillus flerus fungus) and there is no market for it at any price. It seems that this will kill cows, hogs, sheep, chickens, horses, turkeys, cause cancer in milk, and make wharf rats sick. From research performed by the Georgia Senate Research office, it appears that a camel is the only animal that can assimilate Alfatoxin in his diet. (It seems to compliment his usual surly disposition.) Beyond any doubt, we are sitting on the world's largest stockpile of camel food and don't own any camels. *(aflatoxin)*

As you probably have been informed, the Arabs are sitting on the world's largest supply of oil and don't own any cars. What we need is some innovative thinking at the higher levels of Government. I propose that we trade our moldy corn for their greasy oil.

*Maybe we should
import cars
export oil*

The President
August 12, 1977
Page Two

A bold innovative masterful political move on your part to rectify this situation and establish a program of this sort would not only help balance the trade deficit, but also would assure you a place in the annals of history for such an imaginative solution to this knotty problem.

If there is room for another Georgia native in your administration, I am available to work out the details with the Arabs. I would be glad to work as a dollar-a-year man. (This is approximately twice what I made this year.) If you are interested in pursuing this idea any further, you may call my appointments secretary (Ms. Linda Price) for an appointment.

Sincerely,

A handwritten signature in cursive script that reads "Franklin Sutton".

FRANKLIN SUTTON

FS:lp

P. S. In the event you feel that you couldn't get Senate confirmation for me, I understand that Henry Kissinger is at loose ends, and is already acquainted with some of the principals that he would be dealing with. He might not get any oil in return, but he certainly has the ability to give away all the corn that the American farmer can produce.

Dear Franklin:

Please forgive the late reply to your letter. However, the discussions with heads of state and foreign ministers necessary to provide an appropriate answer have been extensive and time consuming.

First, with regard to your preacher whom you say was being paid but "wasn't turning it in." Based on your assessment of his behavior, I suggest he make immediate plans to seek election to the Georgia Senate.

As for your suggestion that we "trade our moldy corn (to the Arabs) for their greasy oil," major discussions have taken place. The consensus recommendation from NSC, DOD, CIA, NSA, CEA, DOE, IFCEP, COWPS, EPC, DOT, and the JPSIPS (Jordan-Powell School of International Policy Studies) is that we export cars and import camels.

The most important group to be consulted has not yet reached a conclusion. The esteemed NADEFPWC & NLI (National Association of Distinguished and Erudite Foreign Policy Writers, Columnists & Navel Lint Inspectors) is reportedly about to vote unanimously that the Administration will be dead wrong if we do or do not do anything. I have suggested that this attitude qualifies them to also run for the Georgia Senate.

-2-

Your kind offer to serve as dollar-a-year man is gratefully accepted. I have asked Jody to talk with the Senate Committee about your confirmation hearings. He says Senator Percy may try to give you some trouble, but Jody feels sure he can "take care of it."

Sincerely,

Jimmy Carter

P.S. -- I have called Linda several times for an appointment.

She just says, "Yeah, and I'm the Queen of England", then hangs up.

How come I never had a secretary when I was in the Senate?

The Honorable Franklin Sutton
The State Senate
State of Georgia
Atlanta, Georgia 30334

THE WHITE HOUSE
WASHINGTON

October 3, 1977

Bob Linder

The attached CAB Decision on British Airways (Dockets 31377, 31379) is forwarded to you for appropriate handling.

Rick Hutcheson

cc: Stu Eizenstat
Bob Lipshutz

THE WHITE HOUSE
WASHINGTON

	FOR STAFFING
	FOR INFORMATION
/	FROM PRESIDENT'S OUTBOX
	LOG IN/TO PRESIDENT TODAY
	IMMEDIATE TURNAROUND

ACTION	FYI	
		MONDALE
		COSTANZA
/		EIZENSTAT
		JORDAN
/		LIPSHUTZ
		MOORE
		POWELL
		WATSON
		McINTYRE
		SCHULTZE

	ENROLLED BILL
	AGENCY REPORT
	CAB DECISION
	EXECUTIVE ORDER

Comments due to
Carp/Huron within
48 hours; due to
Staff Secretary
next day

	ARAGON
	BOURNE
	BRZEZINSKI
	BUTLER
	CARP
	H. CARTER
	CLOUGH
	FALLOWS
	FIRST LADY
	HARDEN
	HUTCHESON
	JAGODA
	GAMMILL

	KRAFT
/	LINDER
	MITCHELL
	MOE
	PETERSON
	PETTIGREW
	POSTON
	PRESS
	SCHLESINGER
	SCHNEIDERS
	STRAUSS
	VOORDE
	WARREN

THE WHITE HOUSE
WASHINGTON

September 30, 1977

MEMORANDUM FOR THE PRESIDENT

FROM: BOB LIPSHUTZ *BL*
STU EIZENSTAT *Stu*

RE: CAB Decision Re British Airways
(Dockets 31377, 31379)

The proposed CAB order suspends for one year certain volume discount cargo rates proposed by British Airways. The Board recommends suspension until Great Britain agrees to accept similar volume discount rates proposed by U. S. carriers, something the British have been reluctant to do.

The Board believes that allowing the British Airways proposal to go into effect immediately before obtaining U. K. approval of other types of discount cargo rates would injure the competitive position of U. S. cargo carriers. The United Kingdom has refused to accept similar volume discount rates proposed by U. S. carriers. For example, the advance purchase cargo rates proposed by TWA which you approved earlier this year have not yet been approved by the U. K. Another U. S. carrier, Seaboard World Airlines has, since 1972, attempted without success to obtain U. K. approval for volume discounts for very large, cargo shipments. Because these proposed British rates require a one-year commitment from shippers, if they are allowed to go into effect before U. S. carriers' are approved, competitive rates, British Airways could "lock up" the market for one year.

Unlike the North Atlantic passenger fare case, in which you overruled the CAB, the failure of the British to liberalize in this case would have an immediate anticompetitive effect. Moreover, the British have a track record of reluctance to liberalize in the cargo area, so a continued failure is predictable unless pressure is applied.

State and OMB believe, however, that the Board's one-year suspension is too lengthy. They recommend that you approve the suspension for only 90 days, a period which should be sufficient to permit resolution of this matter. If no agreement is reached with the British during this period, the Board can again suspend the British Airways' rates.

We recommend that you sign the first attached letter to the Board approving the suspension for 90 days. The letter must be signed no later than Monday, October 3.

TAB A

☒ Approve

☐ Disapprove

A large, stylized handwritten signature, possibly 'J', is written in the center of the page.

THE WHITE HOUSE

WASHINGTON

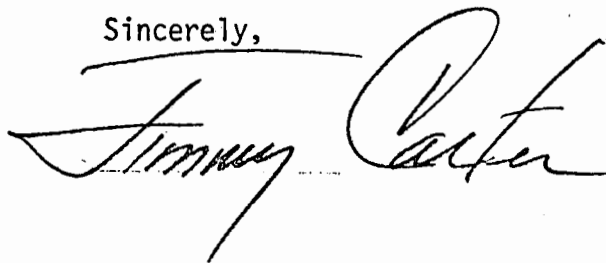
Dear Mr. Chairman:

I have reviewed your proposed order Docket 31377, 31379 dated September 23, 1977, which suspends pending investigation certain "Contract Cargo Rates" filed by various airlines.

Although I am generally opposed to suspending fare or rate decreases in international aviation cases, I have decided that lower rates are best achieved by withholding our approval of these particular rates until we receive assurances that the British government will also approve alternative, competitive, discount rates offered by American carriers. I am concerned that an approval of the proposed tariff, which contains a large volume, one-year shipper commitment, would seriously endanger the continued existence of a competitive U.S.-U.K. cargo market. This is particularly the case at a time when the British Government has rejected the introduction of cargo rate reduction proposals by U.S. carriers.

Although the Board has proposed a suspension for the usual one year period, along with the Board I expect this to be resolved in a much shorter period of time so that low rates are available as soon as possible. Therefore for foreign economic policy reasons I am approving the suspension only for a 90 day period and disapproving it in so far as it extends beyond 90 days.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jimmy Carter", written in dark ink.

Honorable Alfred E. Kahn
Chairman
Civil Aeronautics Board
Washington, D.C. 20428

THE WHITE HOUSE
WASHINGTON

October 3, 1977

Stu Eizenstat
Frank Moore
Jim McIntyre
Zbig Brzezinski

The attached was returned in the President's outbox today and is forwarded to you for your information. The signed originals and report have been given to Bob Linder for appropriate handling and delivery.

Rick Hutcheson

REPORT TO CONGRESSIONAL COMMITTEES
ON INDOCHINA REFUGEES

THE PRESIDENT HAS SEEN.

THE WHITE HOUSE

WASHINGTON

September 22, 1977

*Stu -
"all" ?
self sufficient
J*

MEMORANDUM FOR:

THE PRESIDENT

FROM:

STU EIZENSTAT
FRANK RAINES

Stu

SUBJECT:

Report to Congressional
Committees on Indochina
Refugees

The Indochina Migration and Refugee Assistance Act requires that a report be submitted to six committees of Congress at 90 day intervals on the status of refugees from Indochina. This is the tenth report. A final report is due December 31, 1977.

OMB has prepared a draft transmittal letter. We agree with OMB and HEW that you should sign this letter transmitting the report. The due date for the report was September 21.

You need not read the report.

THE WHITE HOUSE

WASHINGTON

Dear Mr. Chairman:

In accordance with the provisions of the Indochina Migration and Refugee Assistance Act of 1975, I am reporting to you on the status of refugees from Cambodia, Laos, and South Vietnam.

Though we continue to make progress in helping the Indochina refugees to become self-sufficient members of their communities, problems remain. I therefore have asked the Congress to extend the Indochina Migration and Refugee Assistance Act for three years with a gradual phasedown in program assistance. I am also concerned over the plight of Indochinese stranded on the shores of the South China Sea and in temporary Thai refugee camps. Therefore, at my request, the Attorney General has announced that he is using his parole authority to admit an additional 15,000 refugees into the U.S. I have also directed that an interagency task force be established to develop a longer term solution to the Indochina refugee problem.

As my report to you shows, a large portion of the Indochina refugees are independent and productive members of their communities. With the continued assistance of the private and public agencies that have contributed so generously to this program, I am confident that self-sufficiency will soon be possible for all.

Sincerely,

self suff

*the integration of adjustment
to life in the United
States will soon be
made as - if the
possible for all the
refugees from Indochina.*

The Honorable James O. Eastland
Chairman
Committee on the Judiciary
United States Senate
Washington, D.C. 20510

The Honorable James O. Eastland
Chairman
Senate Committee on the Judiciary
United States Senate
Washington, D.C. 20510

The Honorable Peter W. Rodino
Chairman
House Committee on the Judiciary
House of Representatives
Washington, D.C. 20515

The Honorable John J. Sparkman
Chairman
Senate Committee on Foreign Relations
United States Senate
Washington, D.C. 20510

The Honorable Clement J. Zablocki
Chairman
House Committee on International Relations
House of Representatives
Washington, D.C. 20515

The Honorable John L. McClellan
Chairman
Senate Committee on Appropriations
United States Senate
Washington, D.C. 20510

The Honorable George H. Mahon
Chairman
House Committee on Appropriations
House of Representatives
Washington, D.C. 20515

THE WHITE HOUSE
WASHINGTON

September 30, 1977

MEMORANDUM FOR: THE PRESIDENT
FROM: STU EIZENSTAT *Stu*
SUBJECT: Report to Congressional Committees
on Indochina Refugees

At your request, we have modified the OMB transmittal letter to eliminate the reference to self-sufficiency for all Indochinese refugees. It is likely that some members of this population, like other U.S. residents, will need some kind of public support in the future. HEW does expect, however, that over time the degree of reliance on public assistance by the refugees should be reduced to no more than that of other parts of the population.

The last sentence of the letter now expresses your confidence that the refugees will make the adjustment to life in the United States.

Mr. President:

If you approve the attached revised letter, we will use the autopen to sign the other five transmittal letters (same text).

---Rick

THE WHITE HOUSE

WASHINGTON

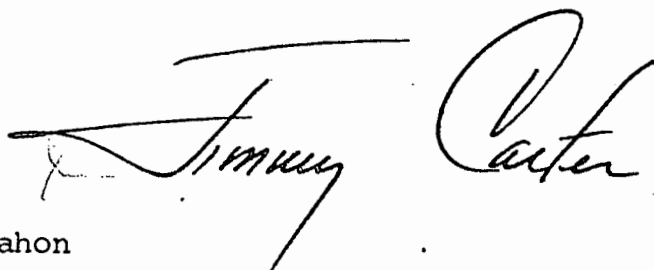
Dear Mr. Chairman:

In accordance with the provisions of the Indochina Migration and Refugee Assistance Act of 1975, I am reporting to you on the status of refugees from Cambodia, Laos, and South Vietnam.

Though we continue to make progress in helping the Indochina refugees to become self-sufficient members of their communities, problems remain. I therefore have asked the Congress to extend the Indochina Migration and Refugee Assistance Act for three years with a gradual phasedown in program assistance. I am also concerned over the plight of Indochinese stranded on the shores of the South China Sea and in temporary Thai refugee camps. Therefore, at my request, the Attorney General has announced that he is using his parole authority to admit an additional 15,000 refugees into the U.S. I have also directed that an interagency task force be established to develop a longer term solution to the Indochina refugee problem.

As my report to you shows, a large portion of the Indochina refugees are independent and productive members of their communities. With the continued assistance of the private and public agencies that have contributed so generously to this program, I am confident that the adjustment to life in the United States will be made by the refugees from Indochina.

Sincerely,

A handwritten signature in dark ink, reading "Jimmy Carter". The signature is fluid and cursive, with a large, sweeping "C" for "Carter".

The Honorable George H. Mahon
Chairman
Committee on Appropriations
U.S. House of Representatives
Washington, D.C. 20515

THE WHITE HOUSE

WASHINGTON

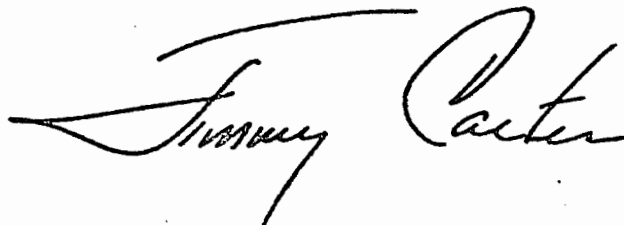
Dear Mr. Chairman:

In accordance with the provisions of the Indochina Migration and Refugee Assistance Act of 1975, I am reporting to you on the status of refugees from Cambodia, Laos, and South Vietnam.

Though we continue to make progress in helping the Indochina refugees to become self-sufficient members of their communities, problems remain. I therefore have asked the Congress to extend the Indochina Migration and Refugee Assistance Act for three years with a gradual phasedown in program assistance. I am also concerned over the plight of Indochinese stranded on the shores of the South China Sea and in temporary Thai refugee camps. Therefore, at my request, the Attorney General has announced that he is using his parole authority to admit an additional 15,000 refugees into the U.S. I have also directed that an interagency task force be established to develop a longer term solution to the Indochina refugee problem.

As my report to you shows, a large portion of the Indochina refugees are independent and productive members of their communities. With the continued assistance of the private and public agencies that have contributed so generously to this program, I am confident that the adjustment to life in the United States will be made by the refugees from Indochina.

Sincerely,

A handwritten signature in dark ink, reading "Jimmy Carter". The signature is fluid and cursive, with a large, sweeping "C" for "Carter".

The Honorable Peter W. Rodino
Chairman
Committee on the Judiciary
U.S. House of Representatives
Washington, D.C. 20515

THE WHITE HOUSE

WASHINGTON

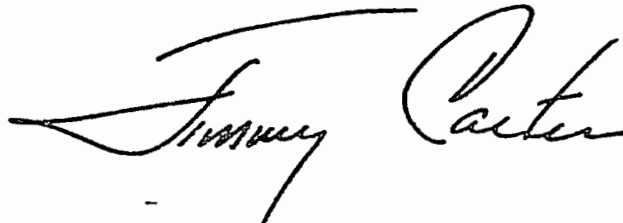
Dear Mr. Chairman:

In accordance with the provisions of the Indochina Migration and Refugee Assistance Act of 1975, I am reporting to you on the status of refugees from Cambodia, Laos, and South Vietnam.

Though we continue to make progress in helping the Indochina refugees to become self-sufficient members of their communities, problems remain. I therefore have asked the Congress to extend the Indochina Migration and Refugee Assistance Act for three years with a gradual phasedown in program assistance. I am also concerned over the plight of Indochinese stranded on the shores of the South China Sea and in temporary Thai refugee camps. Therefore, at my request, the Attorney General has announced that he is using his parole authority to admit an additional 15,000 refugees into the U.S. I have also directed that an interagency task force be established to develop a longer term solution to the Indochina refugee problem.

As my report to you shows, a large portion of the Indochina refugees are independent and productive members of their communities. With the continued assistance of the private and public agencies that have contributed so generously to this program, I am confident that the adjustment to life in the United States will be made by the refugees from Indochina.

Sincerely,

A handwritten signature in cursive script, reading "Jimmy Carter". The signature is written in dark ink and is positioned below the word "Sincerely,".

The Honorable James O. Eastland
Chairman
Committee on the Judiciary
United States Senate
Washington, D.C. 20510

THE WHITE HOUSE

WASHINGTON

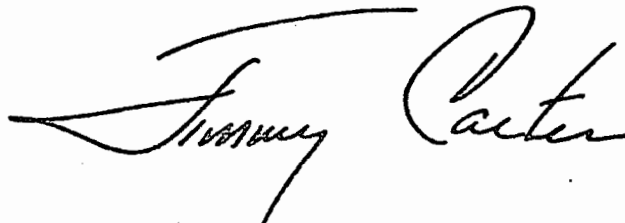
Dear Mr. Chairman:

In accordance with the provisions of the Indochina Migration and Refugee Assistance Act of 1975, I am reporting to you on the status of refugees from Cambodia, Laos, and South Vietnam.

Though we continue to make progress in helping the Indochina refugees to become self-sufficient members of their communities, problems remain. I therefore have asked the Congress to extend the Indochina Migration and Refugee Assistance Act for three years with a gradual phasedown in program assistance. I am also concerned over the plight of Indochinese stranded on the shores of the South China Sea and in temporary Thai refugee camps. Therefore, at my request, the Attorney General has announced that he is using his parole authority to admit an additional 15,000 refugees into the U.S. I have also directed that an interagency task force be established to develop a longer term solution to the Indochina refugee problem.

As my report to you shows, a large portion of the Indochina refugees are independent and productive members of their communities. With the continued assistance of the private and public agencies that have contributed so generously to this program, I am confident that the adjustment to life in the United States will be made by the refugees from Indochina.

Sincerely,

A handwritten signature in cursive script, reading "Jimmy Carter". The signature is written in dark ink and is positioned below the word "Sincerely,".

The Honorable John J. Sparkman
Chairman
Committee on Foreign Relations
United States Senate
Washington, D.C. 20510

THE WHITE HOUSE

WASHINGTON


Dear Mr. Chairman:

In accordance with the provisions of the Indochina Migration and Refugee Assistance Act of 1975, I am reporting to you on the status of refugees from Cambodia, Laos, and South Vietnam.

Though we continue to make progress in helping the Indochina refugees to become self-sufficient members of their communities, problems remain. I therefore have asked the Congress to extend the Indochina Migration and Refugee Assistance Act for three years with a gradual phasedown in program assistance. I am also concerned over the plight of Indochinese stranded on the shores of the South China Sea and in temporary Thai refugee camps. Therefore, at my request, the Attorney General has announced that he is using his parole authority to admit an additional 15,000 refugees into the U.S. I have also directed that an interagency task force be established to develop a longer term solution to the Indochina refugee problem.

As my report to you shows, a large portion of the Indochina refugees are independent and productive members of their communities. With the continued assistance of the private and public agencies that have contributed so generously to this program, I am confident that the adjustment to life in the United States will be made by the refugees from Indochina.

Sincerely,

A handwritten signature in dark ink, reading "Jimmy Carter". The signature is fluid and cursive, with a large, sweeping "C" at the end.

The Honorable Clement J. Zablocki
Chairman
Committee on International Relations
U.S. House of Representatives
Washington, D.C. 20515

THE WHITE HOUSE
WASHINGTON

October 3, 1977

Bob Linder

The attached letter to Don Tucker was returned in the President's outbox today and is forwarded to you for appropriate handling.

Rick Hutcheson

RE: WITHDRAWAL OF NOMINATION AS VICE
CHAIRMAN OF THE CAB

cc: Bob Lipshutz

THE WHITE HOUSE
WASHINGTON

October 1, 1977

MEMORANDUM FOR THE PRESIDENT

FROM: BOB LIPSHUTZ *RL*
HAMILTON JORDAN

At 11:00 a.m. on Monday, October 3, Don Tucker is making a statement to the press and the public at the State Capitol in Tallahassee, Florida. Attached is a draft of his statement, which he read to Bob Lipshutz on the telephone this past Friday.

Also attached is a proposed letter from you to him. If satisfactory, please sign the letter and we will have it delivered; and also we will have the text of this letter published on Monday.

*Susan
rety pe
/h*

Statement by Don Tucker
Dictated by phone -- 9/30/77

I have conferred with Senators Chiles and Stone and also with White House officials regarding the status of my nomination to the Civil Aeronautics Board. I am informed that even though I can clearly repudiate any negative allegations regarding my qualifications, that under the present atmosphere in our Nation's capitol there is no way that I can receive a fair hearing from the Senate Commerce Committee. In fact, Senator Stone predicts that without even hearing my testimony, the Commerce Committee members, with two or three exceptions, are already committed to vote against my confirmation. I have today written to President Carter and asked that my name be withdrawn as his nominee to the CAB.

In addition to the unfortunate circumstances that prevent me from receiving a fair hearing, there are several other factors which have caused me to request that my nomination be withdrawn. The delay in my hearings has made it necessary for me to enroll my three children in schools in Tallahassee. They are involved now in athletics and other activities and they are happy here. I would be reluctant to interrupt their education at this time

I have also been advised that I would need an attorney at a hearing if one were granted. The high cost of Washington lawyers makes it almost impossible for me to afford to obtain one to represent me and, frankly, I resent the necessity of having to have a lawyer

when I am not on trial. Also, I am advised that hearings in my case would probably extend beyond the 1977 Congress and into the year 1978. This sort of delay would create tremendous hardships for me and my family, especially since closing my own law practice I have no regular source of income outside of my legislative salary.

Finally, the people in Florida deserve to have a firm leader as Speaker of the House whose interests are not divided to the extent that mine would be through prolonged hearings. I am deeply honored that the President has enough confidence in me to choose me as his nominee for Vice Chairman of the CAB. I am of course disappointed that I will be unable to serve my country in this capacity and also justify President Carter's confidence. I greatly appreciate the confidence in my integrity and ability expressed by Senator Lawton Chiles and Senator Richard Stone and Governor Reubin Askew. They have continually expressed their willingness to stand beside me and testify on my behalf. My warm appreciation also extends to the many other Floridians from all over the state who have written letters, sent telegrams and requested to personally appear to testify for my confirmation. My colleagues in the House have repeatedly expressed their confidence in me and it will be an honor for me to continue my service to them and to the people of our great state as together we meet the challenges of the upcoming legislative session.

THE WHITE HOUSE

WASHINGTON

October 3, 1977

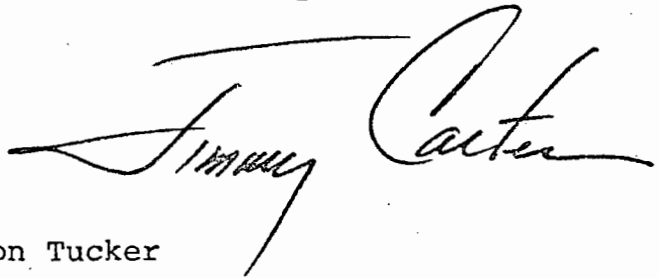
To Don Tucker

I wish to express to you my sincere and deep felt appreciation for your willingness to serve in my Administration as a member and Vice Chairman of the Civil Aeronautics Board.

Nevertheless, I understand the reasons which you have given for your request that I now withdraw your nomination for this position. I will honor your request.

I have complete confidence in your competence and integrity, and regret that our nation will be deprived of your good services.

Sincerely,

A handwritten signature in dark ink, reading "Jimmy Carter". The signature is fluid and cursive, with the first name "Jimmy" and the last name "Carter" clearly distinguishable.

The Honorable Don Tucker
State Capitol
Tallahassee, Florida

THE WHITE HOUSE
WASHINGTON
October 3, 1977

Bob Lipshutz

The attached Executive Order was returned in the President's outbox today. The signed original has been given to Bob Linder for appropriate handling.

Rick Hutcheson

cc: Stu Eizenstat
Jim McIntyre
Peter Bourne
Bob Linder

RE: WHITE HOUSE FELLOWSHIPS

THE WHITE HOUSE
WASHINGTON

	FOR STAFFING
	FOR INFORMATION
/	FROM PRESIDENT'S OUTBOX
	LOG IN/TO PRESIDENT TODAY
	IMMEDIATE TURNAROUND

ACTION	FYI	
		MONDALE
		COSTANZA
	/	EIZENSTAT
		JORDAN
/		LIPSHUTZ
		MOORE
		POWELL
		WATSON
	/	McINTYRE
		SCHULTZE

	ENROLLED BILL
	AGENCY REPORT
	CAB DECISION
	EXECUTIVE ORDER
	Comments due to Carp/Huron within 48 hours; due to Staff Secretary next day

	ARAGON
/	BOURNE
	BRZEZINSKI
	BUTLER
	CARP
	H. CARTER
	CLOUGH
	FALLOWS
	FIRST LADY
	HARDEN
	HUTCHESON
	JAGODA
	GAMMILL

	KRAFT
	LINDER
	MITCHELL
	MOE
	PETERSON
	PETTIGREW
	POSTON
	PRESS
	SCHLESINGER
	SCHNEIDERS
	STRAUSS
	VOORDE
	WARREN

THE WHITE HOUSE
WASHINGTON

10/3/77

Mr. President:

No staff comments.

Rick

THE WHITE HOUSE

WASHINGTON

September 29, 1977

MEMORANDUM FOR THE PRESIDENT

FROM: ROBERT LIPSHUTZ *RL*
RE: Executive Order: White House Fellowships

The attached proposed Executive Order, which was submitted by the President's Commission on White House Fellowships, would amend the existing order on this subject by eliminating age limitations on eligibility for participation.

The program is presently limited to persons between the ages of 23 and 36. The proposed order would limit participation to those "early in their chosen careers."

The purpose of the order is to eliminate possible age discrimination in the program, particularly with respect to women who may begin careers after raising children.

We recommend that you sign the attached order.

☒ Approve

☐ Disapprove

*oh, but as
a general policy
23-36 is still ok
JC*

THE WHITE HOUSE
WASHINGTON

October 3, 1977

The Vice President
Midge Costanza
Stu Eizenstat
Jack Watson
Peter Bourne
Jim King
Bob Linder

The attached will be submitted to the President. This copy is forwarded to you for your information.

Rick Hutcheson

RE: EXECUTIVE ORDER: WHITE HOUSE FELLOW-
SHIPS

THE PRESIDENT HAS SEEN.

THE WHITE HOUSE

WASHINGTON

October 3, 1977

MEMORANDUM FOR:

THE PRESIDENT

FROM:

STU EIZENSTAT

Stu

SUBJECT:

Aliens Legislation

The aliens legislation has been delayed because the Justice Department wanted to review it carefully with our sponsors, Congressman Rodino and Senator Eastland prior to officially submitting it to OMB for its clearance. That review has been completed; the sponsors are pleased with having been consulted prior to submission of actual legislation and OMB is now finishing its clearance. The legislation will be sent to Congress Wednesday morning.

9

Electrostatic Copy Made
for Preservation Purposes

THE PRESIDENT HAS SEEN.

THE WHITE HOUSE

WASHINGTON

October 3, 1977

MEMORANDUM FOR THE PRESIDENT

FROM: Jack Watson

SUBJECT: GOVERNOR BRENDAN BYRNE

Governor Byrne called today simply to report that the latest polls indicate that he has closed the gap between him and his opponent from a 10 percent split to a 5 percent split, and that he is continuing to gain. He said that there is no doubt in his or anyone else's mind that your visit was the turning point in the race. He thanked us again for your help and asked me to give you his warm regards.

Electrostatic Copy Made
for Preservation Purposes

cc: Hamilton Jordan

THE PRESIDENT HAS SEEN.

11:30 AM

THE WHITE HOUSE

WASHINGTON

September 30, 1977

①

BILL SIGNING - H.R. 6111, JUVENILE DELINQUENCY ACT

Monday, October 3, 1977

11:30 a.m. (15 Minutes)

Rose Garden (State Dining Room if rain)

From: Frank Moore

I. TALKING POINTS

Statement being prepared by Stu Eizenstat and Jim Fallows.

II. PRESS PLAN

Open Press Coverage

III. PARTICIPANTS

Senate

James Eastland
Strom Thurmond
Birch Bayh
Charles McC. Mathias
Malcolm Wallop
John Culver

Staff:

Mary Jolly
Josephine Gittler
Steve Rapp
Cliff Vaupel

House

Carl Perkins
Ike Andrews
Augustus Hawkins
William Ford
Baltasar Corrada

Staff:

Bill Causey
Gordon Railey
John Cimko

Department of Justice

Attorney General Bell
Peter Flaherty
Jim Gregg
Tom Madden
John Rector
Patricia Wald
Steve Boyle
John Forhan
Mark Davis

Electrostatic Copy Made
for Preservation Purposes

Public Sector

Miriam Adelman, Children's Defense Fund
Joseph Anderson, former Judge and personal friend of Sen. Bayh
Mildred Wurf, Girls Clubs of America
Marna Wattenberg, National Council of Jewish Women
Elizabeth Marten, Girl Scouts of America
James Nicholson, Esq.
Judge James H. Lincoln
Mrs. Maria Smith, National Council on Crime and Delinquency
Lawrence Speiser, Esq.
David Jenkins, Legislative Consultant
Mathea Falco, State Department
Clarence Martin, Association for the Advancement of Psychology
Bill Monahan, Tufts University
Louis McHardy, Executive Director, National Council of Juvenile
Court Judges.
Clarence Mitchell, NAACP
M. Carl Holman, National Urban Coalition

EXECUTIVE ORDER

- - - - -

WHITE HOUSE FELLOWSHIPS

By virtue of the authority vested in me by the Constitution and statutes of the United States of America, and as President of the United States of America, Executive Order No. 11183, as amended, is further amended as follows:

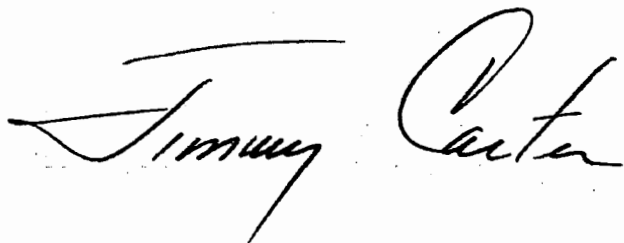
Section 1. The word "young" is deleted wherever it appears in the preamble and in Section 2(a).

Sec. 2. Section 2(b)(2) is amended to read:

"(2) Are presently early in their chosen careers and show exceptional promise of future development;".

Sec. 3. Section 2(b)(4) is deleted, the word "and" is added at the end of Section 2(b)(3), and Section 2(b)(5) is redesignated as Section 2(b)(4).

Sec. 4. Section 2(c) is amended by adding "age" after "national origin,".

A handwritten signature in cursive script, reading "Jimmy Carter". The signature is written in dark ink and is positioned to the right of the main body of text.

THE WHITE HOUSE,

Signing ceremony

THE WHITE HOUSE

WASHINGTON

October 2, 1977

MEMORANDUM FOR THE PRESIDENT

FROM JIM FALLOWS *JL*

SUBJECT: Signing Ceremony for Juvenile Justice and Delinquency Act

1) This is the first crime-related bill the Congress has sent you, and you are especially pleased by the overwhelming bipartisan support it has received. Too often in the last ten years, the difficult questions of coping with crime--especially with juvenile crime--have provoked partisan bickering rather than a search for genuine solutions. What is heartening about this bill is that people from both parties and both the Executive and Legislative branches have agreed on this sensible way to deal with juvenile crime. Senators Bayh, Mathias, and Culver, and Representatives Ike Andrews and Claude Pepper deserve thanks for making that happen.

2) The bill's purpose, in extending federal grants to state and local governments and non-profit institutions, is to enable them to deal more sensibly, humanely, and efficiently with young offenders.

It does this by encouraging courts to distinguish between young people who have committed serious crimes, and those whose actions would not be crimes at all if they had been committed by adults. This second group is called "status offenders," consisting of people like truants and runaways, and it accounts for half of all the juveniles in the criminal justice system. Too often they are locked up alongside teenagers who have committed serious crimes, such as robbery or assault or rape. This bill--like a similar one recently passed in Georgia--will help courts deal with each group in a manner appropriate to it. For serious offenders, that will mean firm, fair treatment, including jail when that is necessary; while status offenders and minor violators--young people who still have a good chance of leading honest, productive lives--will go not to jail but to community-based alternatives.

3) This is a promising approach, because it recognizes that courts are not ~~the~~ solution for every social ill. By helping the courts clear their dockets of cases that should never have been there in the first place, it will speed up criminal justice for serious offenders and reduce the chances that

training schools and detention centers will serve as breeding grounds for violent crime.

4) Not only is this approach more humane, but also it concentrates our resources where they can do the most good. It costs about \$12,000 a year to keep a young person in jail. There may be no alternative when the young person is a serious offender, but that is a high price to pay for dealing with teenagers who pose no threat to their neighbors. This bill encourages a more efficient answer, by mobilizing support from the private sector in the fight against juvenile delinquency. For example, in Denver 2000 volunteers, directed by a paid professional staff, are working with status offenders and minor violators in the kind of program this bill is designed to encourage.

5) None of us has any illusions about the difficulties of coping with crime, but at least half the battle is won when we get our own priorities straight. This bill is a long step in that direction. Nearly half of all the crime committed in the United States is committed by juveniles. If we can steer troubled young people away from crime and deal decisively with the minority who are serious offenders, we can begin to reduce that great human and economic loss. That is the hope of the sponsors and supporters of the bill who are here today, and it is your hope as well.

ACTION
Last Day: October 12, 1977
(Signing is scheduled for
Monday, October 3, 1977)

THE WHITE HOUSE

WASHINGTON

October 1, 1977

MEMORANDUM FOR: THE PRESIDENT

FROM: STU EIZENSTAT
ANNIE GUTIERREZ

SUBJECT: Enrolled Bill HR 6111
Juvenile Justice Amendments of 1977

THE BILL

The bill authorizes appropriations for 1978, 1979, and 1980 for both the Juvenile Justice and Delinquency Prevention Programs in the Law Enforcement Assistance Administration and the Runaway Youth Programs administered by the Department of Health, Education and Welfare; makes other administrative amendments to these programs' enabling statutes; and amends current criminal statute governing disclosure of information on the outcome of juvenile justice proceedings. The most important features of the bill are as follows:

- Authorizes appropriations of \$150 million for 1978, \$175 million for 1979, and \$200 million for 1980 for the Juvenile Justice and Delinquency Prevention Programs in LEAA;
- Extends the Runaway Youth Act, administered by HEW for three years, with an annual authorization of \$25 million per year.
- Other important features of the enrolled bill are outlined in the OMB memorandum attached.

VOTES IN CONGRESS

Senate -- Voice Vote

House -- 389-5

ARGUMENTS FOR VETOING/SIGNING

- The authorization is in excess of that requested by the Administration. The Administration requested an appropriation authorization of \$75 million for 1978 (the amount requested in the 1978 budget) and "such sums as may be necessary" for 1979 and 1980 for the Juvenile Justice and Delinquency Prevention Act. Although the enrolled bill authorizes \$150 million for 1978, the Justice Department Appropriations Act provides \$100 million for this program in 1978. The Administration requested only a one year extension of the Runaway Youth Act and an authorization of \$8 million for 1978. Although the enrolled bill would authorize appropriations of \$25 million for fiscal year 1978 through 1980, the pending Labor-HEW appropriations bill provides \$11 million for this program in 1978.
- While the authorization is in excess of that requested by the Administration, it is not excessive in light of the problem addressed. The overwhelming vote for passage in both Houses of Congress signifies great concern over the alarming nationwide rate of serious crime and the clear indications that a majority of this serious crime is committed by juveniles.
- This bill is also significant as the first crime-related legislation presented by Congress to you for signature. It provides you with an opportunity to demonstrate your desire to cooperate with the Congress on this important issue of national concern.
- The enrolled bill limits the President's reorganization authority with respect to these programs by authorizing the President to submit a reauthorization plan which could transfer administrative responsibility for this program (and rename it as the "Office of Youth Assistance"), but only to either the Office of Juvenile Justice and Delinquency Prevention in the Department of Justice or to ACTION. Submission of a reorganization plan would be discretionary, but any plan would be restricted to either of those two agencies as recipients of the authority.
- While the limitation of the President's authority in reorganizing these programs is unfortunate, the provision is permissive, not mandatory and leaves a final decision with the President. The existence of this provision does not seem to be reason enough to veto the bill.

AGENCY AND STAFF RECOMMENDATIONS

The affected agencies either approve or have no objection to the bill. OMB recommends approval. The Justice Department recommends approval. Bob Lipshutz and I recommend that the enrolled bill be approved.

DECISION

_____ Approve HR 6111

_____ Disapprove HR 6111

THE PRESIDENT HAS STEW.

THE WHITE HOUSE
WASHINGTON

C/

10/3/77

Mr. President---

TIME is doing a long piece, quite possibly a cover, on Secretary Blumenthal.

A TIME photographer will be in the Cabinet room for the first few minutes of today's meeting, and it would be very helpful if you would make it a point to shake Blumenthal's hand when you first come in.

Rex

Electrostatic Copy Made
for Preservation Purposes

MEMORANDUM

~~THE~~ PRESIDENT HAS SEEN.

THE WHITE HOUSE

WASHINGTON

3 October 1977

TO: THE PRESIDENT
FROM: RICK HUTCHESON *R.H.*
SUBJECT: Memos Not Submitted

1. TWO MEMOS FROM JACK WATSON:

- informing you that Secretary Adams has determined that 22 states are not doing a good job enforcing the 55 MPH speed limit. A telegram from you to the 22 governors, expressing concern, will be mailed tomorrow (October 4) to coincide with an announcement by Secretary Adams.
- submitting for your signature 65 letters of appreciation to chairmen of the HIRE Program. Jack says you agreed to send such letters when you talked with Bill Miller about his job as Chairman of the Alliance of Businessmen for the HIRE program.

With your permission, we will use the autopen to sign these letters, and future HIRE letters of this sort.

C

Electrostatic Copy Made
for Preservation Purposes

THE WHITE HOUSE

WASHINGTON

September 29, 1977

MEMORANDUM FOR THE PRESIDENT

FROM: JACK WATSON 

SUBJECT: Attached Letters for Your Signature

When you talked with Bill Miller about his job as Chairman of the National Alliance of Businessmen and Chairman of your HIRE Program, you agreed to send letters of appreciation to those businessmen who have been helpful in the jobs programs.

Would you please sign these letters, which represent a back-log from January. In the future, you will receive 8-12 per week.

Attachments

THE WHITE HOUSE

WASHINGTON

October 3, 1977

MEMORANDUM FOR THE PRESIDENT

FROM: JACK WATSON 

SUBJECT: Telegram to 22 Governors
Re: 55 MPH Speed Limit

As you requested, Brock Adams has determined that 22 states are doing a less than satisfactory job of enforcing the 55 MPH speed limit. The attached telegram from you to the 22 governors will be mailed on Tuesday, October 4th to coincide with an announcement on the subject by Brock in Los Angeles on this date.

TELEGRAM TO 22 GOVERNORS, LIST ATTACHED
FILL IN NAME OF STATE ON EACH TELEGRAM

IN MY SEPTEMBER 1 TELEGRAM TO YOU, I STATED MY DEEP CONCERN WITH
THE TREND TOWARD HIGHER HIGHWAY SPEEDS. CURRENT INFORMATION REPORTED
BY _____ INDICATES THAT MORE THAN 60 PERCENT OF THE MONITORED
VEHICLES IN _____ WERE GOING FASTER THAN 55 MPH. IN CONTRAST
TWELVE (12) STATES HAVE AT LEAST FIFTY PERCENT OF THEIR VEHICLES
TRAVELING AT SPEEDS OF 55 MPH OR BELOW. THIS SHOWS COMPLIANCE CAN
BE IMPROVED.

I AGAIN PLEDGE MY SUPPORT FOR THE 55 MPH SPEED LIMIT. WE MUST IMPROVE
ON THE FUEL AND LIFE SAVINGS EXPERIENCED OVER THE PAST THREE YEARS.
TO DO SO REQUIRES A MAXIMUM EFFORT BY ALL OF US TO GAIN INCREASED
COMPLIANCE WITH THE 55 MPH SPEED LIMIT. SECRETARY BROCK ADAMS HAS
INSTRUCTED HIS STAFF TO ASSIST YOU IN EVERY POSSIBLE WAY. I URGE YOU
TO INCREASE YOUR EFFORTS TO COMMUNICATE THE IMPORTANCE OF THE 55 MPH
LIMIT TO THE PEOPLE OF _____ AND TO TAKE ALL AVAILABLE STEPS
TO MAKE THE 55 MPH SPEED LIMIT EFFECTIVE.

PLEASE CONVEY MY CONCERN TO _____'S LAW ENFORCEMENT AND
SAFETY OFFICIALS AND ASSURE THEM THAT FEDERAL SUPPORT WILL BE AVAILABLE
FOR THEIR 55 MPH SPEED LIMIT PROGRAMS.

JIMMY CARTER

2:00 ~~4:30~~ p.m.

THE PRESIDENT HAS SEEN

THE WHITE HOUSE

WASHINGTON

October 3, 1977

MEMORANDUM FOR THE PRESIDENT

FROM: HAMILTON JORDAN *H.J.*
SUBJECT: Meeting with Livingston Biddle
Monday, October 3, 1977
1:30 p.m. (Oval Office)
The Oval Office

Attached as background for your meeting with Mr. Biddle is a copy of the memorandum I sent you recommending his appointment as Chairman of the NEA.

Biddle has had a great deal of experience with the arts community, and understands its problems and its potential. He does not fit the "Nancy Hanks image," but all who have studied the NEA closely over these past months have come to the conclusion that what is needed now is to consolidate and manage the programs of the NEA.

Attachment

Electrostatic Copy Made
for Preservation Purposes

THE WHITE HOUSE

WASHINGTON

September 22, 1977

MEMORANDUM FOR THE PRESIDENT

FROM: HAMILTON JORDAN *HJ*

SUBJECT: Chairman, National Endowment for the Arts

In light of Nancy Hanks's decision to leave the National Endowment for the Arts on October 1, it is important that you appoint a successor as soon as possible.

Over the past month, an ad hoc arts committee comprised of White House staff members have screened, evaluated, and interviewed many potential nominees. The unanimous recommendation, which has been discussed with Mrs. Mondale and with the First Lady, is that you appoint Livingston Biddle.

Mr. Biddle has spent his entire professional career supporting the arts. He is an accomplished novelist and short story writer; he has chaired the Division of Arts at Fordham University; and when the Pennsylvania Ballet Company was almost bankrupt, Mr. Biddle became Chairman of the Board and guided it out of financial trouble. Not only did Mr. Biddle draft the legislation establishing the National Endowment for the Arts, but he has served as the head of the Congressional Liaison Office and as the Deputy Chairman. Over the years, he has had a continuing role in the development of a national arts policy.

The arts community is made up of many different groups, each with its own program and agenda. What Biddle will be better able to do than any of the other candidates who were considered is move among these groups and assemble the broadest constituency for the Endowment.

Mr. Biddle will also enjoy an excellent working relationship with Joe Duffey, your appointee as Chairman of the National Endowment for the Humanities. A close partnership between the National Endowment for the Humanities and the National Endowment for the Arts has always been desirable; if Reorganization recommends the merger of the two, a close partnership between the two will be absolutely necessary.

Nancy Hanks has been quite helpful during this selection process, and she has made an outstanding contribution to the development of the Endowment during her two terms. Her successes at the Endowment underscore the need for her successor to build and maintain the same kind of broad constituency within the arts community that Nancy Hanks did. At the same time, however, what Nancy Hanks has recommended with respect to the future of the National Endowment for the Arts does not necessarily coincide with what many of us consider to be your priorities. This is best documented by her budget proposal for FY 79, which is twice the size of the FY 78 budget.

I agree that you should proceed with the appointment of Livingston Biddle. I also agree that you should meet with Mr. Biddle before you send his nomination to the Senate.

RECOMMENDATION:

Appoint Livingston Biddle as Chairman, National Endowment for the Arts.

_____ approve

_____ disapprove

1976 - Present	Director, Senate Subcommittee on Education, Arts and Humanities
1975	Congressional Liaison Director, National Endowment of the Arts
1973 - 1974	Special Assistant to Senator Pell (Wrote NEA-NEH reauthorizing legislation greatly increasing scope and dimension of both).
1971 - 1972	Chairman of the Board Pennsylvania Ballet Company
1968 - 1970	Professor and Chairman, Division of the Arts, Fordham University.
1966 - 1967	Deputy Chairman, National Endowment for the Arts
1963 - 1965	Special Assistant to Senator Pell (Drafted the National Foundation on the Arts and the Humanities Act of 1965)
1946 - 1962	Self employed - author
1942 - 1945	Volunteer ambulance driver in Middle East, North Africa, the Mediterranean and European theaters (twice decorated)

EDUCATION

Princeton University, A.B., 1940

COMMUNITY ACTIVITIES

Board Member and President of Children's Service, Inc. providing foster home care primarily for underprivileged Black children in the Philadelphia area.

PERSONAL

Resident of District of Columbia
White Male, 1918
Democrat

COMMENTS ON LIVINGSTON BIDDLE

Senator Claiborne Pell

Liv has had more experience in dealing with the relationship between the arts and Federal government than any other single person in the country and is uniquely qualified for the position. He drafted and played a key role in securing passage of the original legislation creating NEA. Liv has a strong belief in expanding outreach for the program, is possessed of exceptionally broad intelligence, enormous tact, excellent judgment, and impeccable character.

Tom Hoving, Director, New York Metropolitan Museum of Art

The Chairman must be the supreme link between the Arts constituency and Congress. Should be a good administrator but I must stress working with Congress. Liv Biddle would be an excellent Chairman.

Theodore Bikel, President, Actors Equity Association

On behalf of 22,000 actors, we strongly recommend Liv Biddle for Chairman of NEA. He is a conceptualizer and more than qualified for the job. Was one of the originators of the Endowment and would be a great successor to Nancy.

Schuyler Chapin, Dean, Columbia University School of the Arts

I have known Mr. Biddle since the early 60's. He is a sensible, practical man, with a great belief in the Endowment. He would make a first-class Chairman.

Richard McLanathan, Director, American Association of Museums

Biddle's long identification with cultural causes, his experience with cultural affairs and with the processes of government, the respect in which he is held by arts professionals and those who support the arts, and his breadth of vision and attitudes strongly qualify him for this vital position.

Joe Duffey, Chairman, National Endowment on the Humanities

I strongly support the nomination of Biddle. He represents the basic policy changes the Administration will pursue and possesses the experience and skill to do the job.

THE WHITE HOUSE
WASHINGTON

October 3, 1977

Stu Eizenstat

The attached was returned in
the President's outbox. It is
forwarded to you for appropriate
handling.

Rick Hutcheson

RE: DOMESTIC POLICY STAFF WEEKLY
STATUS REPORT

THE WHITE HOUSE
WASHINGTON

FOR STAFFING

FOR INFORMATION

FROM PRESIDENT'S OUTBOX

LOG IN/TO PRESIDENT TODAY

IMMEDIATE TURNAROUND

ACTION	FYI
	MONDALE
	COSTANZA
/	EIZENSTAT
	JORDAN
	LIPSHUTZ
	MOORE
	POWELL
	WATSON
	McINTYRE
	SCHULTZE

	ENROLLED BILL
	AGENCY REPORT
	CAB DECISION
	EXECUTIVE ORDER
	Comments due to Carp/Huron within 48 hours; due to Staff Secretary next day

	ARAGON
	BOURNE
	BRZEZINSKI
	BUTLER
	CARP
	H. CARTER
	CLOUGH
	FALLOWS
	FIRST LADY
	HARDEN
/	HUTCHESON
	JAGODA
	GAMMILL

	KRAFT
	LINDER
	MITCHELL
	MOE
	PETERSON
	PETTIGREW
	POSTON
	PRESS
	SCHLESINGER
	SCHNEIDERS
	STRAUSS
	VOORDE
	WARREN

THE PRESIDENT HAS SEEN.

THE WHITE HOUSE

WASHINGTON

September 30, 1977

C

MEMORANDUM FOR: THE PRESIDENT
FROM: STU EIZENSTAT *Stu*
SUBJECT: Domestic Policy Staff Weekly Status Report

NATURAL RESOURCES

Federal Water Pollution Control Act Amendments: A House-Senate conference on this legislation is scheduled to begin October 4th. We are working with Frank Moore's staff, EPA, CEQ, and other agencies that are involved. There is a dispute between agencies over whether to oppose a provision in the Senate bill which would extend U.S. Jurisdiction on the ocean to prevent oil pollution from tankers. We are trying to resolve the disagreement.

Bowhead Whaling/Eskimo Hunting Controversy: The International Whaling Commission decision to eliminate native bowhead whale hunting is under consideration by Interior, Commerce, State Justice, CEQ, and the Marine Mammal Commission. Some agencies may propose a formal U.S. objection, jeopardizing international whale conservation efforts. Others oppose objection, risking hardship and resentment by Alaskan natives. At your request, we are working with all concerned to narrow the issues and find the best course. A decision memo for you may be necessary within the next few weeks.

CIVIL RIGHTS AND JUSTICE

Undocumented Aliens: OMB is reviewing the legislation drafted by the Justice Department. *expected to*

Morris Dees Memo on Death Penalty: We have met with the Justice Department and have drafted a memo for their approval. It should be submitted to you at the end of next week.

Electrostatic Copy Made
for Preservation Purposes

POSTAL SERVICE

The House Post Office Committee has rejected the Administration's stand of opposition to the postal reform bill's subsidy formula which would triple the public service appropriation on its first year from \$920 million to \$2-1/2 billion. A number of expensive amendments have been added to the bill. It is likely to pass the Committee, but passage in the House is doubtful. Senate passage is highly unlikely.

HOUSING AND URBAN DEVELOPMENT

Urban Policy: We are continuing to meet intensively with the URPB assistant secretaries group and with a series of outside constituencies on urban policy. We are working with OMB on a special process to handle urban initiatives within the budget framework.

Neighborhood Commission: Secretary Harris has sent a memo outlining suggestions as to how the Commission could be announced as well as suggested remarks.

HUD FY '78 Budget: You will sign the bill this Monday, October 3.

SEC Report on New York - Municipal Bond Disclosure: Senator Williams will introduce legislation creating uniform standards on municipal bond disclosure. We will provide an analysis and recommendations as soon as we receive a draft of the bill. *Good*

Phase-out of FY '78 Economic Stimulus Package: We are working with Treasury to prepare an analysis of the fiscal problems of cities, and of the impact of the phase-out on the stimulus package; due in mid-October.

TRANSPORTATION

Water User Charge: We are working with DOT and Frank Moore's staff. Token user fees are expected from the House; action in the Senate is uncertain. The outcome may be a full authorization for Lock and Dam 26 accompanied by a trivial user tax. *no*

International Air Negotiations: A decision memo will be in to you today.

TRADE

Trade Adjustment Assistance: A decision package will be in to you today.

Meat Import Quotas: We are working with USDA, State, STR, and others on proposals for the 1978 meat import program.

EMPLOYMENT

Humphrey-Hawkins: Charlie Schultze and I met with Representative Hawkins on September 29 and were unable to agree on development of a timetable to reach our employment goals. We will be meeting again next week.

Black Unemployment: Analysis will be in by October 7.

HEALTH

National Health Insurance: HEW will probably ask to delay the initial NHI briefing until after Congress adjourns because of their heavy legislative burdens.

Hospital Cost Containment: Both House subcommittees are now marking up the bill, although Ways and Means had difficulty obtaining a quorum. Senator Talmadge will introduce a revised version of his bill this week, and is holding hearings beginning October 11.

Black Lung: Different black lung bills have passed the House and Senate. We have obtained commitments from Congressman Perkins to support those sections of the Senate bill which provide that benefits will come from an industry-supported trust fund rather than from general revenues. We are working with OMB and the Labor Department to get the conference to modify those sections of the House and Senate bills which are unreasonably costly.

COMMUNICATIONS

Public Broadcasting: We are aiming to release the message and legislation about October 6.

OTP/Commerce Reorganization: An Executive Order has been drafted that resolves the dispute between OMB and Commerce by clarifying their roles.

Minority Ownership: We are working with the agencies to develop a program to increase minority ownership of broadcast and cable TV facilities.

Telephone Eavesdropping: NSC is taking the lead on drafting a decision memo for you; we are participating.

CIVIL SERVICE MATTERS

Hatch Act Reform: Hearings have been completed in the Senate. We are working with the CSC, Justice and Senate staff to develop amendments to the bill. IRS, State and the CIA have concerns about their employees, and we are consulting. A memo will be in to you on this shortly.

Executive Service Reorganization Proposal: We continue to follow reorganization team efforts; Alan Campbell is preparing a decision memo for you.

OPENNESS AND INTEGRITY IN GOVERNMENT

Revision of Security Classification System: A draft Executive Order reflecting your decisions has been circulated to the agencies and to groups outside the government. Comments are due October 14.

Executive Order on Logging: Justice draft is now being redrafted in light of agency comments. Draft will be to you no later than October 8.

REGULATORY REFORM PROJECTS

Regulatory Procedures: The Reorganization Project has redrafted the proposed guidelines on writing and "sunsetting" regulations to incorporate your comments as well as the comments received from the Cabinet. The draft will be circulated for clearance this week.

AGRICULTURE

Crop Insurance/Disaster Payments: Secretary Bergland has proposed a "nationwide all-risk insurance program" to replace existing authority. The Secretary is scheduled to testify on it next week. An evaluation will be forwarded late this week or early next for your decision.

Soviet Grain Purchases: Strong rumors persist that the Soviets are buying very large quantities of both wheat and feedgrains. If the rumors are correct, the purchases are substantially above the point (8 mmt annually of wheat and feedgrains in approximately equal quantity) that requires government-to-government consultation under our grain agreement ... but there has been no consultation. USDA and State will meet with USSR representatives next week to discuss.

*USDA
know*

Sugar: A prospective payment was announced September 15 and will become operative late this week or early next. ISA negotiations are at a critical point; State is still hopeful. Justice to rule on retroactive payments early next week. Regulations for de la Garza program (Farm Bill) are in preparation.

Feedgrain Set-Aside: Agriculture will delay a decision on this until late October to get a better fix on expected market conditions.

ECONOMICS AND BUSINESS

Tax Reform: When you have made your decision, we will begin working on the delivery of the package to Congress and the public. We will be back to you shortly with a suggested timetable. We are also developing a coordinated effort involving you and possibly Speaker O'Neill to get Chairman Ullman to agree to hold several weeks of hearings during the recess. *9/11 finish this week*

Steel Industry: We will be working with an interagency task force chaired by Tony Solomon to develop overall Administration strategy toward the domestic and international problems of the U.S. steel industry.

EDUCATION

Military Academies: The interim report on the curriculum at the military academies is under review.

ENERGY

Nuclear Licensing Reform: A meeting was held with Schlesinger's staff, NRC, and CEQ to raise and discuss issues. An internal draft to be circulated to key agency and EOP staff by October 11.

Clinch River Breeder Reactor: Veto message and schedule for use of carry-over funds is in preparation.

Non-Proliferation Legislation: House passed the bill on September 27 by a vote of 411-0. Senate mark-up is complete. Floor action to be scheduled as soon as possible. Conference action is hoped for before congressional adjournment. *Examine carefully*

Spent Fuel Policy: Scheduled for announcement October 14.

Oil Imports: We are working with Schlesinger to develop a more detailed analysis of options for curbing imports.

Phantom Taxes: Memo to you by October 11.

Energy Production Conference: We are working with Jack Watson's office and agencies to prepare for the energy production conference with Governors.

MISCELLANEOUS

Congressional Veto Message: As you requested, we are drafting a message.

*Hold until
I release*

Foreign Gifts: We met with GSA on this matter. GSA and State are working together to draft guidelines applicable to all agencies for uniform handling of foreign gifts. At this point it appears that implementing these guidelines will not require an executive order.

Electrostatic Copy Made
for Preservation Purposes

THE WHITE HOUSE
WASHINGTON

October 3, 1977

Frank Moore

The attached was returned in
the President's outbox. It is
forwarded to you for appropriate
handling.

Rick Hutcheson

WEEKLY LEGISLATIVE REPORT

THE WHITE HOUSE
WASHINGTON

*return
original to me*

	FOR STAFFING
	FOR INFORMATION
/	FROM PRESIDENT'S OUTBOX
	LOG IN/TO PRESIDENT TODAY
	IMMEDIATE TURNAROUND

ACTION	FYI	
		MONDALE
		COSTANZA
		EIZENSTAT
		JORDAN
		LIPSHUTZ
/		MOORE
		POWELL
		WATSON
		LANCE
		SCHULTZE

	ENROLLED BILL
	AGENCY REPORT
	CAB DECISION
	EXECUTIVE ORDER
	Comments due to Carp/Huron within 48 hours; due to Staff Secretary next day

	ARAGON
	BOURNE
	BRZEZINSKI
	BUTLER
	CARP
	H. CARTER
	CLOUGH
	FALLOWS
	FIRST LADY
	HARDEN
	HUTCHESON
	JAGODA
	KING

	KRAFT
	LINDER
	MITCHELL
	MOE
	PETERSON
	PETTIGREW
	POSTON
	PRESS
	SCHLESINGER
	SCHNEIDERS
	STRAUSS
	VOORDE
	WARREN

Electrostatic Copy Made
for Preservation Purposes

THE PRESIDENT HAS SEEN.

THE WHITE HOUSE

WASHINGTON

ADMINISTRATIVELY CONFIDENTIAL

October 1, 1977

MEMORANDUM FOR:

THE PRESIDENT

FROM:

FRANK MOORE

SUBJECT:

Weekly Legislative Report

1. ENERGY

Natural Gas: We failed by one Senator to table the second Pearson-Bentsen amendment Friday night. The actual vote was 49 to 45, but Senator DeConcini would have voted with us if we had a chance for victory.

-- Abourezk and Metzenbaum are now prepared to back off on Monday, and Pearson-Bentsen II will be approved. This means we go into conference with the concept of a price cap intact and strong indications that the Senate will approve a conference report leaning more to the House bill than the Senate's.

-- This was an extremely significant week in the Senate -- one that has implications for us and the Senate beyond the issue of natural gas pricing. We are preparing a more in-depth analysis for your attention later in the week.

Energy Taxes: The Finance Committee, having decided earlier in the week to delete the Crude Oil Equalization Tax (COET) by an 11 to 6 vote, did not meet on Wednesday, Thursday or Friday. Cancellation of these meetings can be traced to two reasons: the natural gas filibuster required Senators to vote every 20 to 30 minutes and, more importantly, Chairman Long needed time to forge a consensus. You have been briefed on the direction in which Long seems to be moving. We are optimistic that COET can be saved and that rebates (at least for low-income citizens) can be approved. While the House-passed user tax is dead in the Senate, we are looking at a modification which might be mutually acceptable and would still save a million barrels of oil per day. The gas guzzler tax can be salvaged, but probably only in conference. The Committee intends to meet on Monday and we will give you daily reports on major developments.

2. FOREIGN POLICY ISSUES

Panama: The Senate Foreign Relations Committee concluded its first week of hearings on the Panama treaties. The testimony generally went well, although the mood of the Committee members was sour as a result of late nights and unhappiness at confronting the contentious Panama question. The House International Relations Committee continued its hearings with extensively published negative testimony from Admiral Moorer. Next week's testimony in both Committees will be dominated by treaty opponents. Thurmond and Hollings will square off before the Senate Committee on Tuesday and should attract some attention.

Good report
J

-- State believes that the central congressional question, at least for the time being, is not whether the treaties are in the national interest, but whether the Panamanians interpret them the same way we do. Panamanian spokesmen continue to face hostile audiences as the Plebiscite approaches, and the danger of differing interpretations is great.

-- Good news on the mail front: Fritz Hollings' wife told Ellsworth Bunker that their mail had improved from 90-1 to only 4-1 against the treaty after Hollings' resounding newsletter supporting passage.

-- The Administration's momentum has slowed considerably after the initial flurry of activity surrounding the signing ceremony. The Congress clearly does not want to confront the Panama issues. As a result, we have few outspoken supporters, but many quiet "advisors." We are attacking this problem at the staff level first, and then we must organize supporting Senators in a cohesive group.

Foreign Assistance Appropriations Conference: After Friday's meeting, which was generally perceived as positive, Majority Leader Wright met several times with 'Doc' Long in attempts to persuade him to accept the Treasury-developed compromise. Long is still sticking more forcefully to the Young prohibition on "direct or indirect aid" than is Rep. Young. It looks at this point that we may have to work around the Subcommittee Chairman. It appears that Wright and Mahon are willing to follow this course if negotiations with Long ultimately fail. The conference report could come up for House floor action next week.

Get Arthur Burns to help with Long

SALT Resolution: The phrase "institutional prerogative" dominated Senate discussions last week over the Administration's intention to abide by the terms of the SALT Interim Agreement after October 3. By the end of the week Senator Jackson had moved a considerable distance away from his staff's contention that the Administration had entered into an agreement with the Soviet Union requiring congressional approval. He was willing to accept a compromise concurrent resolution which acknowledged that our Declaration of Intent was non-binding. The resolution is, in effect, a congressional finding that "the President is authorized to proceed in accordance with the Declaration of Intent ... of September 23, 1977."

-- Late on Friday, the Senate Foreign Relations Committee reported out the compromise resolution, but on the Senate floor McGovern objected that a quorum had not been present in Committee. Early next week the Committee is expected to report it again, with a quorum present. Senator Byrd has agreed to call it up and he should have no problem gaining a time agreement. It is still possible that some of those supporting the Administration's contention that the President acted under his constitutional powers will seek to add the words "under the Constitution" after the word "authorized" in the "resolved" section. This would remove Jackson's cover, and he might feel the need to fight. State has attempted to discourage this, but Dick Clark (for one) feels strongly that Jackson should not be allowed a graceful exit. State expects that in the end, he will find one.

AWACS: Lucy Benson sent letters this week to Lee Hamilton and John Culver informing them that the Administration had decided to count the AWACS sale in FY 1978. These two opponenets of the sale and Gerry Studds were elated by the decision (as was indicated in a recent Mary McGrory column). Nevertheless, Culver will introduce a resolution of disapproval on Monday with twenty co-sponsors. He will not ask for hearings and will simply request a vote in the SFRC next week.

3. FY 1978 DEFENSE PROGRAM

-- The Senate Appropriations Committee will likely add the B-1 and Minuteman III rescissions to the Fall Supplemental at their next meeting. Approval by the full Senate is expected since the Senate previously deleted 1978 funding for the B-1 by a vote of 59 to 36. When this item goes back in disagreement to the House floor after Conference, a tough vote is expected. Reps. Glaimo and Downey, among others, have told White House congressional liaison that they are pessimistic about a successful House vote because the Administration appears to be inconsistent in supporting the FB-111. Regional rivalries (Texas vs. California) will also be a factor in this vote.

-- On cruise missiles, DOD reports that Chairman Price appeared before the House Budget Committee last Thursday to request support for a rules waiver to allow the defense function in the 2nd Concurrent Resolution to be exceeded in order to accommodate the additional funding in the cruise missile supplemental. Glaimo stated that some of the add-on items fell within waiver guidelines as established by the Budget Act, but others definitely did not. He stated that the Appropriations Committee's action on the B-1 had muddied the water and recommended, with Committee concurrence, that support of a waiver not be granted until after the B-1 issue had been clarified. At that time the Budget Committee will reconsider supporting the waiver request.

-- On the Senate side, the Defense Appropriations Subcommittee last Thursday marked up the cruise missile supplemental. Their recommendations included all of DOD's requests. Among them were funds for B-52 modifications, Air Launched Cruise Missile development and funds for the Cruise Missile Carrier (the request was \$50 million; the Committee recommendation was \$5 million). Added by the Subcommittee were funds for FB-111H studies (\$20 million), and funds for studying the future of manned penetration bombers (\$5 million).

4. HOSPITAL COST CONTAINMENT

-- Last week Rep. Rogers' Health Subcommittee completed markup of the cost constraint provisions and recommended a nine percent ceiling on total revenues with an exemption for small hospitals (similar to the Administration's proposal). The Subcommittee will continue markup next week. The Rostenkowski Health Subcommittee of Ways and Means is also expected to meet next week on cost containment.

5. SOCIAL SECURITY FINANCING

-- HEW reports that the Senate Finance Committee on September 29 defeated by a tie vote (8-8) a motion to add several welfare related amendments, contained in H.R. 7200, to the social security financing bill, thus leaving the financing proposal separate. Senator Carl Curtis (R-Neb) then introduced a modification of his earlier proposal, and requested the Committee not to report out a bill until this could be considered. On September 30, at Curtis' request the Committee informally reconsidered their earlier decision to permit a higher taxable wage base for employers than for employees. The poll resulted in a 9 to 9 tie. A final vote between the Curtis and Nelson proposals will come on Tuesday, after the actuaries have had time to compare the two.

-- Of special significance were Long's declaration that he would vote with Curtis in the event of a tie (earlier he voted with Nelson), and the fact that Nelson was having trouble holding all the votes he had earlier. The Social Security Financing bill will be attached to a minor House-passed tariff bill for bicycle parts.

-- When the final vote on the Curtis and Nelson alternatives is taken next Tuesday, we are certain to have at least seven votes: Ribicoff, Nelson, Gravel, Hathaway, Haskell, Matsunaga, and Moynihan. And, absent a tie-breaking situation, Long would also vote with Nelson. Almost certain to vote with Curtis are: Curtis, Hansen, Byrd, Laxalt, Talmadge, and probably Dole. Four members may still be counted as swing votes, and cannot be accurately predicted at this time: Bentsen, Packwood, Roth and Danforth. (Efforts are already underway to get to the four last-mentioned, as well as Talmadge and Dole, in the hope of winning the Nelson alternative on a solid vote.)

-- The House Ways and Means Committee met September 28 for a preliminary discussion of social security financing and will proceed with a markup session in earnest on Monday.

6. MINIMUM WAGE

-- The Senate is expected to take up the bill early next week -- Tuesday or Wednesday -- and it is hoped that a time agreement can be reached. All parties have agreed to drop the "indexing" provisions in the Senate bill. An amendment will be offered by Senator Williams and Javits to delete indexing and substitute a four-year wage rate (\$2.65 in 1978, \$2.90 in 1979, \$3.15 in 1980 and \$3.40 in 1981). This is expected to get a great deal more support than indexing and will make our job a bit easier in winning support for the bill.

-- We still do not have accurate vote counts largely because the compromise was not formally agreed upon and introduced until Friday and because the Senators are preoccupied with the energy bill. We will need to work hard to defeat amendments establishing a youth subminimum and amendments which would reduce the number of persons covered by existing law. The Administration's position on tip credit is likely to prevail, especially since Williams and Javits have not yet been able to agree on an alternative compromise.

-- Once the bill is passed by the Senate we expect a quick conference and final passage. The bill should be on your desk before the adjournment.

7. REORGANIZATION

-- OMB reports that the Executive Office Reorganization Plan passed the full House Government Operations Committee last Thursday by voice vote. Both Chairman Brooks and Rep. Horton (for the minority) displayed excellent leadership in moving the bill through the Subcommittee and full Committee.

-- Among those few Members opposing the plan were Glenn English (D-Okla.), and Ben Rosenthal (D-N.Y.). Both are concerned about the abolishment of the Office of Drug Abuse Policy. English, in particular, believes this action represents a backing away from the drug abuse issue by the Administration. He and other members of the Select Committee on Narcotics Abuse were concerned about abolishing one of the few units over which they have oversight responsibility. Both these Members and others hope to take their concerns to the floor; however, OMB does not anticipate any serious jeopardy to the plan as a result of their activities.

-- In the Senate, OMB anticipates at least 13 (out of 16) favorable votes in the Governmental Affairs Committee. At this point, it is unclear whether the full Senate will act on the plan or simply let it go into effect after the full 60 days (October 18).

8. SUPPLEMENTAL APPROPRIATIONS

-- The House bill is tentatively scheduled for floor action next Wednesday. The Appropriations Committee recommended a total of \$6.8 BILLION in 1978 budget authority, a decrease of \$306 million from the requested level of \$7.2 BILLION. The bill includes 1978 supplemental budget requests considered subsequent to action on the regular 1978 appropriations bills. Items requested by the Administration, but currently not included in this bill, are expected to be considered in the Senate version of the bill.

-- OMB reports that the major components of the bill which reflect significant changes to the Administration's request include:

- a) an overall reduction of \$545 million for the Federal Energy Administration including \$415 million for the Strategic Petroleum Reserve and \$115 million for the energy conservation and environment program.
- b) the inclusion of \$150 million for the Clinch River Breeder Reactor Project, subject to the enactment of authorizing legislation.
- c) the provision of \$152 million for the F-14 aircraft, a restoration of an earlier congressional cut in the regular appropriation bill.
- d) a reduction of \$100 million from the request for R&D related to the cruise missile carrier aircraft. A study to determine whether wide-bodied aircraft could be used as cruise missile carriers is mandated by the Committee before further funds will be provided.
- e) an unrequested \$30 million for the Soil Conservation Service for emergency measures for runoff retardation and soil erosion prevention.

-- The House Rules Committee has not yet granted a rule for the Supplemental, although it may reconsider on Monday. If a rule is not granted, several sections of the bill will likely be deleted on point-of-order language. OMB advises that these sections include the whole Defense chapter with funding for the cruise missile and \$4.5 BILLION for EPA construction grants.

-- If House floor action is completed Wednesday, the Senate Appropriations Committee may meet on Thursday to consider the Supplemental.

9. LABOR LAW REFORM

-- The House Rules Committee adopted an open rule on H.R. 8410 which calls for 2 hours of general debate and requires publication of any amendment in the Congressional Record 24 hours before debate begins. As of now the Speaker has agreed to take the bill up on Tuesday, October 4.

-- The Speaker is anticipating Republican attempts to stall any bill in front of Labor Law Reform in an effort to kill this legislation (a similar tactic was successful in damaging the minimum wage bill in the House). The vote count looks better than any other Administration supported "Labor" bill.

10. NAVIGATION DEVELOPMENT ACT (LOCK AND DAM 26)

-- According to OMB, the Administration strongly supports a waterway users charge system which, after a phase-in period, would recover (a) 100% of the operating and maintenance costs, and (b) at least 50% of new construction costs. The Administration has also made its approval of a Locks and Dam 26 authorization contingent upon the enactment of an acceptable comprehensive waterway users charge system.

-- The House bill (H.R. 8309), scheduled for floor action on Monday, would impose a 4¢/gallon tax on diesel fuel used by inland waterway commercial users beginning September 30, 1979, increasing to 6¢ after September 30, 1981. It would require a study by the Secretaries of Commerce and Transportation in consultation with others of the economic impacts of Federal cost recovery on the inland waterways, to be completed within three years after enactment. OMB advises that the bill would recover less than 10% of Federal O&M and construction costs after full phase-in (but would recover in the first year as much as the first annual phase of the Administration's proposal). It has no provision for recovery from ocean-going or Great Lakes shipping of Federal costs of harbor channels, and makes no provisions for charging recreational users.

-- Transportation reports that a number of Members have been asked to make floor statements on behalf of the Administration, and the entire membership will be receiving fact sheets. Following expected House passage, the bill may be placed on the Senate calendar within the next few weeks, depending on Senate scheduling developments. DOT will then work to achieve a substantially higher recovery level than in the House version. Senate liaison has been working closely with Senators Gravel and Domenici on the problem of dealing with Senator Long's opposition to any bill recovering a higher percentage of operation and maintenance costs.

11. END OF FISCAL YEAR PROBLEM

-- Three regular appropriations bills for FY 1978 (Labor/HEW, Foreign Assistance, and D.C.) have not passed the Congress. Congressional leaders insist that outstanding issues (particularly the abortion issue) be resolved and that a continuing appropriations resolution will not be acceptable. OMB advises that as of today, no new contracts can be awarded or grants or purchases made by HEW, Labor, AID, several other agencies, and D.C. Salary payments will have to stop as early as October 4 for ACTION, and within three weeks for other affected agencies. OMB is exploring ways to break the congressional logjam.

12. CARGO PREFERENCE

-- The bill is tentatively scheduled for House floor action next Wednesday, but will probably not be considered. Chances are good that the Rules Committee will fail to grant a rule, and thus kill consideration of the bill for this year. Commerce is working with John Murphy to get a vote as soon as possible, but in light of the apparent disenchantment of the Leadership and Democrats in general, passage does not look good.

13. OUTER CONTINENTAL SHELF

-- This legislation is expected to get a rule the week of October 10 and is tentatively scheduled for House floor action the following week. Chairman Murphy plans to handle the bill on the floor, but wants us to ask the Speaker to place it on the House calendar. Interior also recommends that we ask the Speaker to schedule the bill. If the House finishes action on the bill, Murphy intends to go to immediate conference with the Senate so that we can have a bill before adjournment.

14. HOUSING AND COMMUNITY DEVELOPMENT AUTHORIZATION CONFERENCE

-- The House/Senate conferees agreed to a compromise supported by HUD on the impaction issue, and have completed their work on the bill. There is a chance that the conference bill will be passed by the House and Senate next week.

15. MISCELLANEOUS

-- Reps. Phil Burton and John Krebs, among others, are upset about the group invited to the Farm Bill signing. They feel that many other Members should have been invited, including themselves.

FLOOR ACTIVITIES FOR WEEK OF OCTOBER 3

House

-- Conference Reports may be brought up at any time.

Monday -- H.R. 6951, Council on Wage & Price Stability (complete consideration).

H.R. 3816, FTC Amendments (complete consideration).

Tuesday -- H.R. 8140, Labor Law Reform.

Wednesday -- H.R. 9375, Supplemental Appropriations.

H.R. 1037, Energy Transportation Security Act (Cargo Preference).

Thursday -- H.R. 2176, Federal Banking Agency Audit Act.

H.R. 4297, Marine Protection Authorization. The bill prohibits dumping of sewage sludge into ocean waters after December 31, 1981 and authorizes appropriations for FY 1978 for activity under the Marine Protection, Research and Sanctuaries Act. According to OMB, the Administration has no objections to the bill.

Friday -- No session. The House will next meet on Tuesday, October 11.

Senate

-- After disposition of the natural gas bill, the Senate is schedule to take up utility rate reform, and then minimum wage. We are working to reverse the order of these two latter bills.